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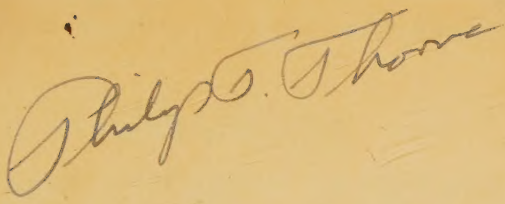

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MANUAL

FOR CHURCH OFFICERS AND MEMBERS

OF THE

GOVERNMENT, DISCIPLINE, AND WORSHIP

OF THE

PRESBYTERIAN CHURCH

IN THE

UNITED STATES OF AMERICA

Fourth Edition

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INTRODUCTION.

Notwithstanding the fact that revised editions of the Constitution of the Presbyterian Church and of the Digest of its laws and administrative and judicial decisions have recently been put forth, there is a persistent demand for a book which shall contain in briefer compass and simpler form, and thus more available for ready reference, these same important matters.

This Manual of Presbyterian law and usage, relating to the Government, Discipline, and Worship of the Church, is offered as the answer to this demand.

Other books with a like purpose have preceded it, but they are either out of print or out of date.

In the preparation of this book the "Manual for Ruling Elders and Other Church Officers," first published by Rev. William Henry Roberts, D.D., in 1897, has furnished the working basis and the major part of the material. The subject matter is necessarily much the same, since in the main the Constitution does not greatly change, but the arrangement and order in which it is presented are almost entirely different.

The content is divided into six main divisions: I. History; II. Constitution; III. Organization; IV. The Particular Church; V. Rules for Judicatories; VI. Forms for Sessions.

Besides Dr. Roberts' "Manual for Ruling Elders," Dr. J. Aspinwall Hodge's "What Is Presbyterian Law?" has constantly been consulted.

The Editors make acknowledgment of their indebtedness to Rev. Professor Frederick W. Loetscher, D.D., LL.D., of Princeton Theological Seminary, for the bibliography which will be found following the table of contents; also to Rev. Harold McAfee Robinson, D.D., Secretary of the Board of Christian Education, for the material contained on pages 94–102. We are also under great obligation to the Editorial and Publication Departments of the Board of Christian Education for their hearty coöperation and wise guidance.

LEWIS SEYMOUR MUDGE.
WILLIAM P. FINNEY.

EDITORIAL NOTE.

This Manual is issued from the Office of the General Assembly, under the general authority granted to the Stated Clerk by the General Assembly as the official editor in charge of "The Constitution" and "The Digest" of the Church, and of the ways and means by which the laws and usages of the Church are made known.

In the preparation of this Manual, the Stated Clerk has had the whole-hearted coöperation of Rev. William P. Finney, D.D., associate editor of "The Digest."

It is, therefore, a privilege to repeat here what was recorded in connection with the presentation to the Church of the last edition of "The Digest," that whatever part others may have had in selecting, arranging, and printing the material gathered in this Manual, that part is small when compared with the contribution of time, of strength, of patience, and of wisdom made thereto by Dr. Finney.

LEWIS SEYMOUR MUDGE,
Stated Clerk.

June, 1930.

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EXPLANATIONS.

The abbreviations used in this Manual in connection with the quotations are as follows:

C. F., Confession of Faith.
L. C., Larger Catechism.
S. C., Shorter Catechism.
F. G., Form of Government.
B. D., Book of Discipline.
D. W., Directory for Worship.
G. A., General Assembly.
N. S., New School Assembly.
O. S., Old School Assembly.
R. J., Rules for Judicatories.
§, Section.

I.

HISTORICAL STATEMENT,

I.

HISTORICAL STATEMENT.

History of the Presbyterian Church in the U. S. A.

Presented in Chronological Outline.

I. ORGANIZATION.

1630. Rev. Richard Denton settled in Massachusetts.

1643. Rev. Francis Doughty held services in New York City.

1644. Presbyterian congregation in charge of Mr. Denton at Hempstead, L. I., N. Y.

1658. Rev. Francis Doughty first conducted missionary labors in Maryland among Presbyterian Puritans who had been driven out from Virginia, owing to their refusal to conform to the Episcopal Church. The Puritans settled in the latter colony as early as 1614.

1683. Rev. Francis Makemie began work in Maryland.

1692. Presbyterian services began in Philadelphia.

1701. Rev. Jedediah Andrews ordained pastor at Philadelphia.

1705. First recorded meeting of the General Presbytery at Freehold, N. J.

1717. General Synod with four Presbyteries organized at Philadelphia; Presbyterian Church established in New York City.

1719. Appropriation by the General Synod for the support of the gospel in New York City. This was the first recorded gift for home missions.

1729. The General Synod adopts the Westminster Standards.

1742. Azariah Horton ordained as missionary to the Indians in New York.

1745. First division of the Presbyterian Church. The parties to this division were known ecclesiastically as the Synod of New York and the Synod of Philadelphia. The chief cause of strife arose in connection with the standard of ministerial qualifications.

1746. Princeton College established by members of the Presbyterian Church.

1751. Collections for Indian missions ordered in all the churches.

1758. Reunion of the Church upon the basis of the Westminster Standards. The General Synod known from this time as the Synod of New York and Philadelphia.

1766. The General Synod formed a plan of union with the General Association of Connecticut for the protection of the rights of the American churches against episcopal encroachments.

1767. General missionary collection ordered by Synod for the maintenance of the gospel upon the frontier.

1768. John Witherspoon inaugurated as president of Princeton College, and as first professor of divinity in the Church.

1771. A scheme for the support of candidates for the ministry approved by Synod.

1773. A committee of Synod appointed to supervise the distribution of religious publications.

1775. The General Synod issued a pastoral letter sustaining unanimously the Continental Congress.

1788. The General Synod adopted the Constitution of the Church, divided itself into four Synods, and summoned the General Assembly to meet.

1789. The first General Assembly met in Philadelphia, Pa., May 24.

1792. The General Assembly entered into correspondence with the General Association of Connecticut. This correspondence developed into the Plan of Union with the Congregational churches, which was adopted in 1801.

1799. Beginning of a great revival of religion which extended over several years, and to all parts of the country.

1802. The Standing Committee on Home Missions established by the General Assembly.

1810. The Cumberland Presbyterian Church founded by withdrawing ministers and members.

1811. The first theological seminary established at Princeton, N. J. The Church has now thirteen theological institutions: Princeton (1812), Auburn (1818), Western (1827), Lane (1829), McCormick (1829), Danville, now The Theological Seminary of Kentucky (1853), Dubuque, German (1856), Biddle University, now Johnson C. Smith University (1868), Newark, German, now Bloomfield (1869), San Francisco (1871), Lincoln University (1871), Omaha (1891), and The Evangelical Seminary of Porto Rico (1918).

1816. The Board of Missions established.

1817. The United Foreign Missionary Society organized. This society, in 1826, was merged in the American Board of Commissioners for Foreign Missions.

1819. The Board of Education established.

1831. Western Foreign Missionary Society established by the Synod of Pittsburgh.

1837. The Board of Foreign Missions established, and the Plan of Union with the Congregational churches abrogated.

1838. The Board of Publication established.

1838. The Church divided into the Old and New School branches. The causes of division were in large part administrative.

1844. The Board of Church Erection established.
1855. The Board of Ministerial Relief established.
1861. The Presbyterian Church South organized at Augusta, Ga.
1865. The Board of Missions for Freedmen established.
1869. Reunion of the Old and New School branches at Pittsburgh, Pa., November 12.
1882. Correspondence established between the General Assemblies North and South.
1883. Board of Aid for Colleges established.
1888. The celebration of the centennial of the General Assembly, at Philadelphia, Pa. The General Assembly South participated as a body in this celebration.
1895. The celebration of the quarter-century anniversary of Reunion at Pittsburgh, Pa.
1906. Reunion with the Cumberland Presbyterian Church.
1916. Consolidation of the Board of Education and the College Board into the General Board of Education.
1920. Union with the Welsh Calvinistic Methodist Church, commonly known as the Welsh Presbyterian Church.
1923. Reorganization of the Boards and Agencies, as follows:

The Office of the General Assembly:

a. Department of Administration.
b. Department of Publicity.
c. Department of Vacancy and Supply.
d. Department of Church Coöperation and Union.

The General Council.

The Boards:

I. The Board of National Missions of the Presbyterian Church in the United States of America.

Consolidating:

a. The Board of Home Missions.
b. The Woman's Board of Home Missions.
c. The Missionary Department of the Board of Publication and Sabbath School Work.
d. The Board of the Church Erection Fund.
e. The Board of Missions for Freedmen.
f. The Permanent Committee on Evangelism.

II. The Board of Foreign Missions of the Presbyterian Church in the United States of America.

Consolidating:

a. The Board of Foreign Missions.
b. The Woman's Board of Foreign Missions.
c. The Special Committee on Work in Europe.

III. The Board of Christian Education of the Presbyterian Church in the United States of America.

Consolidating:

a. The General Board of Education.
b. The Board of Publication and Sabbath School Work (with the exception of the Missionary Department).
c. The Board of Temperance and Moral Welfare.
d. The Permanent Committee on Men's Work.
e. The Permanent Committee on Sabbath Observance.

IV. The Presbyterian Board of Ministerial Relief and Sustentation.

1925. The Department of History (Presbyterian Historical Society) added to the Office of the General Assembly.

1928. The Board of Pensions chartered.

II. THE STANDARDS.

The Confession of Faith, and also the Larger and Shorter Catechisms of the Presbyterian Church in the U. S. A., were prepared in their original form by a body of divines and laymen appointed by the English Parliament, and first convened in July, 1643. This body was called the Westminster Assembly of Divines, from the celebrated Abbey in London, England, in which its members met Their work was completed and adopted by Parliament in 1648. The Westminster Confession was also adopted by the General Assembly and Parliament of the kingdom of Scotland, in 1647 and 1649 respectively, and is a part of the civil law of that country and of the Terms of Union between it and England.

It should be emphasized that the Ten Commandments and the Lord's Prayer, being an integral part of the Catechism are, therefore, a part of the Constitution of the Church.

With reference to the Apostles' Creed, the following is the official action of the General Assembly: "The attention of our congregations is hereby called to the fact that the Apostles' Creed is one of the Standards of the Presbyterian Church; that the instruction of the children of the Church therein is commended in the Directory for Worship, Chapter X, Section 1, and that its use in worship is not contrary to any law or regulation of our denomination." (Minutes G. A., 1892, pp. 34, 35.)

In addition to the doctrinal Standards above named, the Presbyterian Church in the U. S. A. possesses three administrative Standards, viz., the Form of Government, the Book of Discipline, and the Directory for Worship. These, with the Confession and the Catechisms, make up the Constitution of the Church.

The Westminster Confession of Faith and the Catechisms were adopted in 1729, as "the confession of their faith," by the General Synod of the Presbyterian Church

in the U. S. A., excepting certain clauses in the Confession relating to the civil magistrate. In 1788, the General Synod amended the Confession, Chapters XX, XXIII, and XXXI, in the matter of the relations of Church and State, made a "small amendment" of the Larger Catechism, and adopted the amended Confession of Faith, the Catechisms, the Form of Government, the Book of Discipline, and the Directory for Worship, "as the Standard of our doctrine, government, discipline, and worship."

In 1792 a committee was appointed to "select and arrange the proof texts." That committee reported to the Assembly of 1794, and their work was referred to another committee, with directions to compare the proofs with those annexed to the Westminster Confession, Catechisms, and Directory, to revise the whole, and to publish an edition of the Standards with the proofs annexed. In accordance with that order, and a further order by the Assembly of 1796, the new book was published with proof texts in 1797.

In 1869 the "two bodies claiming the name and rights of the Presbyterian Church in the United States of America," which separated in 1837, were united "on the doctrinal and ecclesiastical basis of our common Standards."

Comparatively few changes have been made in the Confession of Faith since its original adoption in 1729. (See Digest, 1922, Vol. II, p. 14.)

The Book of Discipline was entirely reconstructed and adopted in 1884–1885. The Form of Government and the Directory for Worship have been amended in various particulars between the years 1805 and 1930. The proof texts were revised by a committee appointed by the General Assembly in 1888, and its final report was presented and adopted in 1894.

The methods of amendment of the Standards are contained in Chapter XXIII of the Form of Government,

adopted by the Presbyteries and the Assembly in 1891. The Confession and Catechisms can be amended by a vote of two thirds of the Presbyteries and enactment by the Assembly, the other Standards by a majority vote of the Presbyteries and a declaration by the Assembly of the result.

II.

THE CONSTITUTION.

II.

THE CONSTITUTION.

I. Introductory Statement.

I. FUNDAMENTAL PRINCIPLES AFFECTING THE CONSTITUTION.

The principles affecting the Constitution and fundamental to subscription are as follows:

1. The Constitution is the law of the whole Church. The Presbyterian Church in the U. S. A. is a Church with a Constitution, and this Constitution, like all other constitutions, is the law of the whole Church, the common rule and guide in theology, duty, worship, and government. The jurisdiction of the Constitution extends over all persons and bodies within the Church, whether Church members, Church officers, or Church judicatories. The instant a person becomes a member of the Church or a new judicatory is established, that instant, by virtue of the facts, they come under the jurisdiction of the Constitution.

2. The power to amend the Constitution is vested in Church judicatories. The Constitution of the Presbyterian Church contains specific provisions for its amendment, through the coöperative action of the General Assembly and the Presbyteries, and therefore can be amended in any of its parts and words, only in accordance with such provisions.

3. The power to interpret the Constitution is vested in Church judicatories. The power to interpret the Constitution is vested, not in individuals, but solely in Constitutional judicatories. Just as the Constitution

of the United States can be interpreted only by lawfully established and organized courts, so also the Constitution of the Presbyterian Church in the U. S. A. can be authoritatively interpreted only by the judicatories established by the Constitution, organized in accordance with its requirements, and acting under the authority of its provisions.

4. Individual opinions are not law. Individuals have no power in the Church, any more than in the State, authoritatively to interpret a Constitution. An individual opinion, from the legal viewpoint, is not law even for the individual holding such opinion. While differences of opinion as to the propriety and wisdom of Constitutional requirements are admitted in the Church, and while it is entirely proper to advocate amendments to the Constitution, neither differences of opinion nor desire for amendment can impair Constitutional authority. Opinion is variable and unauthoritative; law is fixed and authoritative. The Constitution as it is, in all its parts, is the law of the Church for all persons and judicatories, until altered or amended by the Church. Questions connected with Presbyterian doctrine and practice can be legally answered only by appeal to the Constitution, and to the deliverances and decisions of Presbyteries, Synods, and, above all, of the General Assembly, whose decision is final.

II. TERMS OF SUBSCRIPTION.

1. Subscription is more than acceptance of the Constitution. The principles just stated (p. 27) necessarily involve that subscription is something other than acceptance of the Constitution as the law of the Church. The sovereignty of the Constitution of the Church over the individual officer or member is dependent solely upon jurisdiction. That jurisdiction is clear, positive, and unquestioned. Subscription could not make it either more authoritative or more comprehensive. What, then, is subscription?

2. Definition of subscription. Subscription is a pledge given by officers of the Presbyterian Church at their ordination to office, by which they declare their agreement with the system of doctrine of the Church, their approval of its government, and their purpose faithfully to observe and maintain its Constitution. This pledge is sometimes called the ordination vow.

3. Subscription is not required of Church members. Members of the Church, at reception to full communion, are not required to subscribe to the Constitution of the Church. (See in this Manual under "Reception of Church Members," p. 68.) Subscription is required only of Church officers.

4. Duration of subscription. The pledge given by the act of subscription continues as an obligation so long as the person giving the same is an officer of the Presbyterian Church. It is binding upon ministers, elders, and deacons, whether in active service or retired therefrom, and can be terminated only by death, deposition, demission, or removal to another denomination.

5. Subscription includes first the Scriptures as the Word of God. Reference will be further made (p. 35) to the supreme authority of the Scriptures in the Presbyterian System of faith and practice. This supremacy is emphasized by the primary questions asked of ministers, ruling elders, and deacons at ordination. These questions at ordination separate, it is true, between acknowledgment of the Scriptures as "the Word of God" and acknowledgment of the binding authority of the Confession over Church officers, but this separation is not intended to minify the Confession, but simply to magnify the Scriptures as the source and sanction of confessional doctrine. No person should permit himself to take office in the Presbyterian Church who does not accept the Bible as being the "Word of God, the only infallible rule of faith and practice." (F. G., Ch. XIII, § 4; Ch. XV, § 12.)

6. Subscription includes also the Confession and Catechisms. Subscription to the Confession differs from approval of the Form of Government. The Constitution consists of two great divisions: first, the doctrinal Standards; second, the administrative Standards. The Confession of Faith and the Larger and Shorter Catechisms constitute the doctrinal, the Form of Government, the Book of Discipline, and the Directory for Worship, the administrative Standards. All the doctrinal Standards, by repeated action of the highest judicatories of the Church, have been declared to be the "confession of our faith," and are included in the obligation involved in subscription. (Digest 1922, Vol. II., pp. 10, 11.)

7. Legal subscription is to the "system of doctrine." Three views of the extent of the obligation involved in subscription to the doctrines of the Confession and Catechisms are held—the "*ipsissima-verba*," the "substance-of-doctrine," and the "system-of-doctrine" views.

The "*ipsissima-verba*" view of subscription—viz., that subscription is to every word of the doctrines—though held by a few persons, has not been and is not the practice of the Church.

The "substance-of-doctrine" view—viz., that church officers subscribe only to the evangelical doctrines of the Standards—is opposed to the practice of the Church from the beginning.

Legal subscription, as stated, is to the "system of doctrine." The Church in the Adopting Act of 1729 required, so far as the doctrines are concerned, obligatory subscription only to the "essential and necessary articles." The principle then enacted is the usage of the Church at present. An exhibit of the chief doctrines constituting the System contained in the Standards, will be found in this Manual, pp. 31–37.

8. What are nonessential doctrines? The Church has reserved to itself the right to determine what are non-

essential articles of the confessional system. No person has a right to judge for himself as to nonessentials. An individual desiring information on this point, where action has not been already had in accordance with the Adopting Act of 1729, should apply first to his Presbytery, and, if he cannot secure the necessary information from that body, should request action by the higher judicatories.

9. Approval of the administrative Standards. Subscription to the regulations of the Standards consists simply in approval of the laws and regulations composing the greater part of the Form of Government, the Book of Discipline, and the Directory for Worship, and also found to a lesser extent in the Confession and Catechisms. This approval involves faithful observance in all administration of the provisions of Church law. The Presbyterian Church gives liberty as to nonessentials in doctrine, but requires exact compliance with purely statutory regulations.

II. The Presbyterian System.

In dealing with the Presbyterian System it is necessary, first, to lay to one side any narrow view of it that may have been acquired. By the word "Presbyterian" is not meant simply an adherent of a particular form of Church government, and the term "Presbyterian System" is, therefore, not to be understood as applicable merely to a code of laws by which the affairs of an ecclesiastical organization are administered. A system, whether of philosophy or of theology, may be defined as a classification of related truths arranged under one and the same idea. A system of truth must be judged, therefore, not by any of its parts, but by all the parts in their logical relation to the controlling idea.

The Controlling Idea.—The doctrine of the divine sovereignty is the controlling idea of the Presbyterian System, both theoretically and practically. By this sovereignty is meant the absolute control of the universe,

with all that it has contained, does and will contain, whether visible or invisible things, by the one supreme, eternal, omniscient, omnipresent, and omnipotent Spirit, for wise, just, holy, and loving ends, known fully to himself alone.

Definition.—The Presbyterian System may be defined, therefore, as being that body of religious truths and laws of which the sovereignty of God is the germ and nexus, the life and soul.

The Organizing Principle.—The sovereignty of God finds primary expression in the Presbyterian System, by constituting as its organizing principle the sovereignty of the Word of God as the supreme and infallible rule of faith and practice. Because God has spoken to men in the Bible, therefore Presbyterians put first in their Confession of Faith their rule of faith and practice, stating in Chapter I the doctrine "Of the Holy Scripture." The Presbyterian System accepts and incorporates, as of perpetual binding obligation, only those things which can be proved to be of Scriptural origin and warrant.

I. THE CONFESSION OF FAITH.

The main features of the Presbyterian System, as contained in the Westminster Standards, and more especially in the Confession of Faith, are its views in theology, duty, worship, and government. Concisely stated, they are as follows:

1. Theology.

The fundamental feature of the Presbyterian System is a body of theology, or a statement of what we are to believe concerning God, in himself, and in his relations to man. The name "Calvinistic" has been applied to this theology in general, yet the Standards contain three great theological elements, which, with the doctrines classified under them, are as follows:

The General Christian Element.—The general Christian doctrines set forth in the Confession affirm reverently and emphatically that God is; that he exists as a Trinity, Father, Son, and Holy Ghost, three persons yet one God, the same in substance, equal in power and glory; that he is the eternal, infinitely holy, wise, good, omniscient, omnipresent, and omnipotent Spirit; that from all eternity he planned his universe, with all things therein; that he created all things; that he governs all things; that the free will of man is his gift, involving man's responsibility to his Creator; that he permitted sin, and has fixed its punishment; that salvation from sin is by Him of whom it is written, "God so loved the world, that he gave his only begotten Son, that whosoever believeth in him should not perish"; that all men shall rise one day from the dead, and shall receive at the bar of God the awards of final destiny. These doctrines, in their general form, however they may vary in particulars, are held universally by those persons entitled to be called Christians.

The Protestant Element.—The chief Protestant doctrines of the Confession are those of the supremacy of the Holy Scriptures as the supreme and infallible rule of faith; the supreme lordship of God over the conscience; the vicarious sacrifice and sole mediatorship of Christ; the justification of the penitent sinner by faith alone; the passing of saints at death immediately into heaven, and their instant and complete perfection in the state of glory. These doctrines unite evangelical Protestants into a vital oneness of faith.

The Calvinistic Element.—The third element in the confessional system is that which may be called the distinctively Calvinistic. In one sense the entire system is Calvinistic, for it recognizes the sovereignty of God as its controlling idea from first to last. From another viewpoint, however, the doctrines composing this third element are the differentiating features which separate Calvinists from other evangelical Christians. These doctrines

historically bear the name of the five points of Calvinism, and are: (1) Unconditional as opposed to conditional predestination;(2) definite atonement or particular redemption as opposed to indefinite atonement; (3) total as opposed to partial depravity; (4) efficacious as opposed to uncertain grace; (5) final as opposed to partial perseverance. These five points are the affirmation of the sovereignty of God in its relation to the salvation of the individual. Presbyterians declare in regard to every true Christian that his salvation is not a reward for faith, but that faith and salvation both are gifts of God; that each believer is the object of a peculiar, definite, gracious, costly, victorious, and everlasting love; that the power of and tendency to sin in man is of such a nature that he is utterly unable to save himself; that regeneration is an act of God, and of God alone—a sinner cannot be both father and child; that when the Spirit of God moves efficaciously in the human soul, the new life must result; and that the soul whom God hath loved in Jesus Christ he loveth to the end, the regenerate person not being of the number of those "who draw back unto perdition; but of them that believe to the saving of the soul."

There has been much misrepresentation of the Calvinistic theology, in connection with both the salvation of sinners and the general aspects of the universal divine government. Calvinists are not fatalists, as some allege; neither do they believe in a God who is harsh and arbitrary in his dealings with his world. Presbyterians believe that beneath, above, around, and in, all of this scheme of things which we call the universe, in its parts as well as in its totality, in its past, its present, and its future, there has been, is, and will be a dominant will, a kingly righteousness, an imperial love, the will, the righteousness, the love which is God. They believe neither in fate nor in man as the supreme arbiter of destiny, but in God the Father Almighty.

2. Duty.

A second class of essential Presbyterian doctrines deals with human duty. The chief doctrines of the Standards under this head are those of the free agency of man, of the law of God, of sin, of faith in Christ, of good works, of Christian liberty, of lawful oaths and vows, of the civil magistrate, of marriage and divorce, and of final judgment. Presbyterians believe that because God is sovereign, therefore, man's free agency is a foreordained element of his being and involves his responsibility to God; that the moral law as contained in the Ten Commandments and amplified in the New Testament is always binding upon men; that all human conduct in thought, word, or deed which is contrary to God's law is sin: that faith in Christ is obligatory upon all who hear the gospel; that men may not bind the conscience of other men as to right and wrong, except in harmony with God's Word; that Christians must show forth by godly living the truth of their profession of religion; that good works are the test and evidence of adoption into the household of God, not a ground for salvation; that men cannot bind themselves to perform wrongful acts; that God's name is ever to be held in supreme reverence; that the State is a divine institution as well as the Church; that obedience to rightful civil authority is obedience to God; and that in both Church and State the family is a main source and safeguard of true prosperity.

3. General Principles Dealing with the Authority of the Holy Scriptures.

1. The Holy Scriptures the inspired and supreme law of the Church. "The whole counsel of God, concerning all things necessary for his own glory, man's salvation, faith, and life, is either expressly set down in Scripture, or by good and necessary consequence may be deduced from Scripture: unto which nothing at any time

is to be added, whether by new revelations of the Spirit or traditions of men." (C. F., Ch. I, § 6.) The Holy Scriptures are "all . . . given by inspiration of God, to be the rule of faith and life." (C. F., Ch. I, § 2.) "The Holy Scriptures are the only rule of faith and manners." (F. G., Ch. I, § 7.) See also under caption No. 4, below.

2. All Church power ministerial and declarative. "All church power, whether exercised by the body in general, or in the way of representation by delegated authority, is only ministerial and declarative." Church power is ministerial from the fact that the Church acts as a minister or agent of the Lord Jesus Christ; it is declarative in that the Church puts into effect "laws already made, and common to all who profess the gospel." These laws, which the Church declares, are found in the Holy Scriptures. "No church judicatory ought to pretend to make laws, to bind the conscience in virtue of their own authority." (F. G., Ch. I, § 7.) Even matters of detail in worship and government, not specified in Scripture, are subject to its general authority. "There are some circumstances concerning the worship of God and government of the Church, common to human actions and societies, which are to be ordered by the light of nature and Christian prudence, according to the general rules of the Word, which are always to be observed." (C. F., Ch. I, § 6.)

3. The right to judge of the law contained in Scripture vested in Church courts with limitations. "Now, though it will easily be admitted that all synods and councils may err, through the frailty inseparable from humanity; yet there is much greater danger from the usurped claim of making laws, than from the right of judging upon laws already made, and common to all who profess the gospel, although this right, as necessity requires in the present state, be lodged with fallible men." All decisions reached by the Church "should be founded upon the revealed will of God." (F. G., Ch. I, § 7.)

4. Decisions of Church courts to be used as helps.

"All Synods or councils since the apostles' times, whether general or particular, may err, and many have erred; therefore they are not to be made the rule of faith or practice, but to be used as a help in both." (C. F., Ch. XXXI, § 3.) See pp. 201-203.

5. The infallible interpreter of Scripture is the Scripture itself. "The infallible rule of interpretation of Scripture is the Scripture itself; and therefore, when there is a question about the true and full sense of any Scripture, (which is not manifold, but one,) it may be searched and known by other places that speak more clearly." (C. F., Ch. I, § 9.)

6. The Scriptures the final authority. "The Old Testament in Hebrew, (which was the native language of the people of God of old,) and the New Testament in Greek, (which at the time of the writing of it was most generally known to the nations,) being immediately inspired by God, and by his singular care and providence, kept pure in all ages, are therefore authentical; so as in all controversies of religion the Church is finally to appeal unto them." (C. F., Ch. I, § 8.) "The Supreme Judge, by whom all controversies of religion are to be determined, and all decrees of councils, opinions of ancient writers, doctrines of men, and private spirits, are to be examined, and in whose sentence we are to rest, can be no other but the Holy Spirit speaking in the Scripture." (C. F., Ch. I, § 10.)

II. THE FORM OF GOVERNMENT.

1. General Principles.

Presbyterian principles in the matter of Church government, stated briefly, are as follows: That Christ is the only Head of the Church; that all true believers are in union with Christ as their Head; that Christ has appointed a government in his Church; that the right inheres in all believers, as members of Christ's body, to participate in

church affairs; that the Church possesses authority to discipline offenders and to administer government; that Christians have the right to associate voluntarily together in denominations, and to prescribe terms of communion; that all denominations holding the essentials of the Christian religion are to be recognized as Churches of Christ; and that the ideal ecclesiastical organization is "a free Church in a free State." These principles are given more in detail, and in the words of the Standards, immediately below.

The Standards contain a statement of the general truths or principles which lie at the foundation of all Church government, as well as those which may be regarded as peculiarly Presbyterian. It is maintained that these principles are in full harmony with the requirements of Holy Scripture and the practice of the primitive Church. They may be stated in the following manner:

2. General Principles Connected with the Church Universal.

1. The Church the Kingdom of Christ. "The visible Church . . . is the kingdom of the Lord Jesus Christ." (C. F., Ch. XXV, § 2.) "Jesus Christ, . . . hath erected, in this world, a kingdom which is his Church." (F. G., Ch. II, § 1.)

2. Christ the only Head of the Church. "The Lord Jesus Christ is the only head of the Church, and the claim of any man to be the vicar of Christ and the head of the Church, is unscriptural, without warrant in fact, and is a usurpation dishonoring to the Lord Jesus Christ." (C. F., Ch. XXV, § 6.)

3. The universal Church includes all believers with their children. "The visible Church, which is also catholic or universal under the gospel, . . . consists of all those throughout the world, that profess the true religion, together with their children." (C. F., Ch. XXV, § 2.)

4. The purpose of the universal Church the gathering and perfecting of believers. "Unto this catholic visible Church, Christ hath given the ministry, oracles, and ordinances of God, for the gathering and perfecting of the saints, in this life, to the end of the world: and doth by his own presence and Spirit, according to his promise, make them effectual thereunto." (C. F., Ch. XXV, § 3.)

5. For the notes of true churches, see under head 3, caption 6, p. 40.

3. General Principles Connected with Denominational Churches.

The American Presbyterian churches regard all those who profess the true religion, together with their children, as members of the universal Church. (See under head 2, caption 3, p. 38.) They further believe in the advisability and rightfulness of the existence within the Church universal of denominational churches. In thus believing, it is maintained that they are more in harmony with the Scriptural idea of the Church than the majority of English and Scotch Presbyterians at the time of the first adoption of the Westminster Standards. Exercising the right of private judgment, they altered these Standards so as to express the views which they hold. In so doing they do not support schism, but maintain the rights of all Christians; and they have behind them the marvelous progress made by the evangelical churches, under the blessing of God, during the present century. The following principles enunciate and define their position:

1. The sole Lordship of God over the conscience. "God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it, in matters of faith or worship." (C. F., Ch. XX, § 2.) Therefore American Presbyterians "consider the rights of private

judgment, in all matters that respect religion, as universal and unalienable." (F. G., Ch. I, § 1.) This principle and the two next given are the basis for the organization of separate churches, both denominational and particular.

2. Christians entitled to differ as to certain truths and forms. "There are truths and forms, with respect to which men of good characters and principles may differ. And in all these they think it the duty both of private Christians and societies, to exercise mutual forbearance towards each other." (F. G., Ch. I, § 5.)

3. Believers possess the right of voluntary denominational association. "In perfect consistency with the above principle of common right, every Christian Church, or union or association of particular churches, is entitled to declare . . . the whole system of its internal government which Christ hath appointed." (F. G., Ch. I, § 2.) See caption No. 1, immediately above.

4. Every Church possessed of the positive power to declare its own terms of communion. "Every Christian Church, or union or association of particular churches, is entitled to declare the terms of admission into its communion, and the qualifications of its ministers and members." (F. G., Ch. I, § 2.)

5. The responsibility for terms of communion is solely upon the denomination adopting them. "In the exercise of this right they may, notwithstanding, err, in making the terms of communion either too lax or too narrow; yet, even in this case, they do not infringe upon the liberty, or the rights of others, but only make an improper use of their own." (F. G., Ch. I, § 2.)

6. The notes of true churches are purity of doctrine, ordinances, and worship. "This catholic Church hath been sometimes more, sometimes less, visible. And particular churches, which are members thereof, are more or less pure, according as the doctrine of the gospel is taught and embraced, ordinances administered, and

public worship performed more or less purely in them." (C. F., Ch. XXV, § 4.)

7. Churches may degenerate so as to be non-Christian. "The purest churches under heaven are subject both to mixture and error: and some have so degenerated, as to become no churches of Christ, but synagogues of Satan. Nevertheless, there shall be always a Church on earth, to worship God according to his will." (C. F., Ch. XXV, § 5.)

III. THE BOOK OF DISCIPLINE.

1. General Principles.

1. Truth fundamental to practice. "That truth is in order to goodness; and the great touchstone of truth, its tendency to promote holiness; according to our Saviour's rule, 'by their fruits ye shall know them.' And that no opinion can be either more pernicious or more absurd, than that which brings truth and falsehood upon a level, and represents it as of no consequence what a man's opinions are. On the contrary, they are persuaded that there is an inseparable connection between faith and practice, truth and duty. Otherwise it would be of no consequence either to discover truth, or to embrace it." (F. G., Ch. I, § 4.)

2. The Church possesses the power of discipline. "Our blessed Saviour, . . . hath appointed officers, . . . to exercise discipline, for the preservation both of truth and duty; and, it is incumbent upon these *officers*, and upon the whole Church, in whose name they act, to censure or cast out the erroneous or scandalous; observing, in *all* cases, the rules contained in the Word of God." (F. G., Ch. I, § 3.) Church judicatories "possess the right of requiring obedience to the laws of Christ; and of excluding the disobedient and disorderly from the privileges of the Church." (F. G., Ch. VIII, § 2.)

3. Discipline includes care and control as well as the administration of justice. "Discipline is the exercise of that authority, and the application of that system of laws, which the Lord Jesus Christ has appointed in his Church: embracing the care and control, maintained by the Church, over its members, officers, and judicatories." (B. D., Ch. I, § 1.)

4. Discipline is vindicatory, constructive, and remedial in its nature. "The ends of discipline are the maintenance of the truth, the vindication of the authority and honor of Christ, the removal of offences, the promotion of the purity and edification of the Church, and the spiritual good of offenders." (B. D., Ch. I, § 2.)

5. Discipline should be exercised with vigor, justice, and prudence. "The vigor and strictness of its discipline will contribute to the glory and happiness of any church. Since ecclesiastical discipline must be purely moral or spiritual in its object, and not attended with any civil effects, it can derive no force whatever, but from its own justice, the approbation of an impartial public, and the countenance and blessing of the great Head of the Church universal." (F. G., Ch. I, § 8.) "Its exercise, in such a manner as to secure its appropriate ends, requires much prudence and discretion." (B. D., Ch. I, § 2.)

6. Christian liberty does not release from responsibility. No persons can plead Christian liberty as against discipline for offences; but "for their publishing of such opinions or maintaining of such practices, as are contrary to the light of nature; or to the known principles of Christianity, whether concerning faith, worship, or conversation; or to the power of godliness or such: erroneous opinions or practices, as either, in their own nature, or, in the manner of publishing or maintaining them, are destructive to the external peace and order which Christ hath established in the Church: they may lawfully be

called to account, and proceeded against by the censures of the Church." (C. F., Ch. XX, § 4.)

7. The authority of the Church in discipline terminates with excommunication. "The highest punishment to which their authority extends, is to exclude the contumacious and impenitent from the congregation of believers." (F. G., Ch. VIII, § 2.) Discipline is not "attended with any civil effects." (F. G., Ch. I, § 8.)

2. Principles Applicable to the Civil Power.

1. The Church independent of the civil power. "Civil magistrates may not assume to themselves the administration of the Word and Sacraments; or the power of the keys of the kingdom of heaven; or, in the least, interfere in matters of faith."(C.F., Ch. XXIII, § 3.)

2. Church courts may handle civil matters only by petition or when asked. "Synods and councils . . . are not to intermeddle with civil affairs which concern the commonwealth, unless by way of humble petition in cases extraordinary; or by way of advice for satisfaction of conscience, if they be thereunto required by the civil magistrate." (C. F., Ch. XXXI, § 4.)

3. Christian liberty cannot be pleaded against rightful authority either in Church or State. "And because the powers which God hath ordained, and the liberty which Christ hath purchased, are not intended by God to destroy, but mutually to uphold and preserve one another; they who, upon pretence of Christian liberty, shall oppose any lawful power, or the lawful exercise of it, whether it be civil or ecclesiastical, resist the ordinance of God." (C. F., Ch. XX, § 4.)

4. The State under obligation to maintain religious liberty. "It is the duty of civil magistrates to protect the Church of our common Lord, without giving the preference to any denomination of Christians above the rest, in such a manner that all ecclesiastical persons whatever shall enjoy the full, free, and unquestioned

liberty of discharging every part of their sacred functions, without violence or danger. And, as Jesus Christ hath appointed a regular government and discipline in his Church, no law of any commonwealth should interfere with, let, or hinder, the due exercise thereof, among the voluntary members of *any* denomination of Christians, according to their own profession and belief. It is the duty of civil magistrates to protect the person and good name of all their people, in such an effectual manner as that no person be suffered, either upon pretence of religion or of infidelity, to offer any indignity, violence, abuse, or injury to any other person whatsoever: and to take order, that all religious and ecclesiastical assemblies be held with out molestation or disturbance." (C. F., Ch. XXIII, § 3.)

5. The State independent of, and to be honored by, the Church. "God, the Supreme Lord and King of all the world, hath ordained civil magistrates to be under him over the people, for his own glory and the public good: and, to this end, hath armed them with the power of the sword, for the defence and encouragement of them that are good, and for the punishment of evil doers." (C. F., Ch. XXIII, § 1.) "It is the duty of people to pray for magistrates, to honor their persons, to pay them tribute and other dues, to obey their lawful commands, and to be subject to their authority, for conscience' sake. Infidelity or difference in religion, doth not make void the magistrate's just and legal authority, nor free the people from their due obedience to him: from which ecclesiastical persons are not exempted." (C. F., Ch. XXIII, § 4.)

6. Christians may serve as civil magistrates. "It is lawful for Christians to accept and execute the office of a magistrate, when called thereunto." (C. F., Ch. XXIII, § 2.)

7. Christian civil magistrates to maintain the laws, and if necessary may wage war. "In the managing whereof, as they ought especially to maintain piety, justice, and peace, according to the wholesome laws

of each commonwealth; so, for that end, they may lawfully, now under the New Testament, wage war upon just and necessary occasions." (C. F., Ch. XXIII, § 2.)

8. The Pope has no power over civil magistrates. "Much less hath the Pope any power or jurisdiction over them in their dominion, or over any of their people; and least of all to deprive them of their dominions or lives, if he shall judge them to be heretics, or upon any other pretence whatsoever." (C. F., Ch. XXIII, § 4.)

IV. THE DIRECTORY FOR WORSHIP.

The chief doctrines of the Presbyterian Standards with reference to worship are: That God only is to be worshiped; that worship is to be offered, not through human or angelic mediators, but through Jesus Christ as the sole mediator and only priest; that ministers are never priests, but simply leaders in worship and teachers of divine truth; that neither man nor angel can forgive sins and bestow grace and favor, but God alone; that true worship can be offered anywhere and with any forms, for the road to the divine favor starts from the penitent heart and believing soul, not from Gerizim or from Jerusalem; that the law of the Sabbath as a day for worship is of perpetual obligation; that only those ordinances and forms are of authority in worship which are indicated in the Word of God; that worship is to be offered not only in private, but also in stated public assemblies; that the use of liturgies in worship is neither obligatory nor needful; that the ordinances and forms of religion are simply means to the great ends of growth in the divine life and fellowship with God; and that even the Sacraments of Christ's appointment, precious as they are to the believer, though the culmination of divine worship, the veritable contact of the soul with Christ, yet have in themselves no efficacy, but are made efficacious only through the blessing of the triune God.

V. THE VALUE OF THE PRESBYTERIAN SYSTEM.

The general value of the Presbyterian System may be concisely stated thus:

In its theology it honors the divine sovereignty without denying human freedom; in its views of human duty, while insisting upon obedience to God, it emphasizes human responsibility; in its worship it magnifies God while it brings blessing to man, by maintaining the right of free access on the part of every soul to him whose grace cannot be fettered in its ministrations by any human ordinance whatsoever; and in its government it exalts the headship of Christ, while giving full development to the activities of the Christian people. From its beginning to its close the system acknowledges God as sovereign, and in its every part is affirmed to be in harmony with the teachings of God's Word. Its twin symbols are "An Open Bible" and "The Burning Bush," burning yet not consumed.

III.

THE ORGANIZED GOVERNMENT OF THE PRESBYTERIAN CHURCH.

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Church Judicatories

The Presbyterian Church in the U. S. A. has, in full harmony with the foregoing principles, organized a definite form of government, contained in the volume known as the Constitution of the Presbyterian Church in the U. S. A. This Constitution recognizes and vests with power four Church judicatories, each in due succession subject to the next higher, and all subject to said Constitution. These judicatories are the Session, the Presbytery, the Synod, and the General Assembly. The definitions of these judicatories, the rules for their composition, and their powers, are now to be set forth in order.

I. The Session.

I. THE CONSTITUENT ELEMENTS.

1. Definition. The Session is the Church judicatory having immediate jurisdiction over a particular church. In Chapter VIII of the Form of Government the Session is called the congregational assembly.

2. The members. "The church Session consists of the pastor or pastors and ruling elders, of a particular congregation." (F. G., Ch. IX, § 1.)

3. Pastor a member of Session. It is common to speak of the pastor and Session of a given church. This phraseology is not proper, though current in many quarters.

The pastor is a part of and permanent moderator of the Session. See "Moderator," p. 261.

4. Elders must be ordained and installed. Elders must be ordained and installed before they can act as members of Session. Term-service elders should be re-installed after each reëlection.

5. Minister cannot be corresponding member. The Session of a church cannot invite even a minister belonging to the same Presbytery "to sit as a corresponding member of said Session."(Minutes G. A., N.S., 1851, p. 20.)

6. Elders cannot be corresponding members. There is no Constitutional provision enabling Sessions to invite elders of other churches to sit as corresponding members.

7. Presbytery cannot appoint special Sessions, but may appoint "a Committee to exercise all the functions of a Session." "The appointment of such a special Session to conduct a judicial trial is entirely unconstitutional." (Minutes G. A., 1823, p. 149; 1824, p. 213.) A special Session of ruling elders of neighboring churches to obviate delays for want of quorums is unconstitutional. (Minutes G. A., O. S., 1860, p. 28.) For appointment of a Committee with functions of a Session, see Minutes G. A., 1915, p. 293.

8. Deacons. Deacons have no right to take part at any time in meetings of Session, whether in receiving or dismissing members, or in other business of the body. "There is no judicial power allowed them in the Scriptures." (Minutes General Synod, 1715, p. 4.)

II. POWERS.

1. Powers, general. The powers of the Session are indicated in general in Chapter IX of the Form of Government. See also "Powers," p. 274. Certain specific powers are designated in other places in the Constitution, such, for instance, as Book of Discipline, Sections 35 and 72, and Directory for Worship, Chapter VI, Section 3, and Chapter

VII, Section 6. The text of each provision of the Constitution designating specific Sessional powers is given under the proper head, e. g., "Judicial Process."

"The church Session is charged with maintaining the spiritual government of the congregation; for which purpose, they have power to inquire into the knowledge and Christian conduct of the members of the church; to call before them offenders and witnesses, being members of their own congregation, and to introduce other witnesses, where it may be necessary to bring the process to issue, and when they can be procured to attend; to receive members into the church; to admonish, to rebuke, to suspend or exclude from the Sacraments, those who are found to deserve censure; to concert the best measures for promoting the spiritual interests of the congregation; to supervise the Sabbath school and the various societies or agencies of the congregation; and to appoint delegates to the higher judicatories of the Church." (F. G., Ch. IX, § 6.)

"Subject to the provisions of the Directory for Worship, the Session shall have and exercise exclusive authority over the worship of the congregation, including the musical service; and shall determine the times and places of preaching the Word and all other religious services. They shall also have exclusive authority over the uses to which the church buildings may be put, but may temporarily delegate the determination of such uses to the body having management of the temporal affairs of the church, subject to the superior authority and direction of the Session." (F. G., Ch. IX, § 7.)

For the purpose of meeting this responsibility the Form of Government declares the Session to "possess the following general powers:"

2. Powers of reception and dismissal. "To receive members into the church." (F. G., Ch. IX, § 6.) To dismiss members. (B. D., Ch. XI, § 109.)

3. Power of oversight. "They have power to inquire into the knowledge and Christian conduct of the members

of the church." "To concert the best methods for promoting the spiritual interest of the congregation." (F. G., Ch. IX, § 6.) This power includes supervision of the conduct of church members, oversight of the Sabbath school, the use of church buildings, distribution of benevolent offerings, and care over the pulpit when vacant, as well as the oversight of the general interests of the congregation.

4. Power of representation. "To appoint delegates to the higher judicatories of the Church." (F. G., Ch. IX, § 6.)

5. Power of review. "All proceedings of the church shall be reported to, and reviewed by, the Session, and by its order incorporated with its records." (B. D., Ch. IX, § 72.) This includes the acts of the Board of Deacons and certain acts of the trustees.

6. Judicial power. "To call before them offenders and witnesses, being members of their own congregation, and to introduce other witnesses, where it may be necessary to bring the process to issue, and when they can be procured to attend; . . . to admonish, to rebuke, to suspend or exclude from the Sacraments, those who are found to deserve censure." (F. G., Ch. IX, § 6.) "Original jurisdiction" in relation to Church members pertains to the Session. (B. D., Ch. IV, § 19; Ch. XI, § 108.)

For the detail of these powers see the appropriate heads in the pages following.

III. MEETINGS.

1. Constitutional provision. "The pastor has power to convene the Session when he may judge it requisite; and he shall always convene them when requested to do so by any two of the elders. The Session shall also convene when directed to do so by the Presbytery." (F. G., Ch. IX, § 8.)

2. Regular meetings. The Session of each church should meet regularly once a month, so far as practicable,

at an appointed place and time, and due notice of the meeting should be given to the members, either through the mail or from the pulpit. (Minutes G. A., 1890, p. 132.)

3. Special meetings. The pastor having the power vested in him by the Constitution, to call meetings "when he may judge it requisite," no provision for special meetings is necessary. Care should be taken, however, whenever possible, to notify all the members.

4. Informal meetings. The practice of holding what are called informal meetings of the Session is quite common. In view of the power of the pastor or moderator to convene the Session at any time, informal meetings are uncalled for. In vacant churches, if pressing matters require a consultation of the elders, agreements entered into at such consultations should be acted upon at the first regular meeting thereafter. See caption No. 7, below.

5. Higher court can order a meeting. The Presbytery having jurisdiction over a Session can direct it to meet for the transaction of business. (F. G., Ch. IX, § 8.)

6. Meetings in absence of pastor. No Session meeting is valid where a church has a pastor, unless the pastor be present as moderator, except in the case of his sickness or absence. The elders in a Session cannot hold a meeting without the knowledge of the pastor, and then claim that the action had at such a meeting was legal. See next section.

7. Official acts possible only at regularly called meetings. Acts such as reception of members and appointment of delegates, are "official acts, which the judicatory is competent to perform only when regularly convened, and making due record of its proceedings." (Minutes G. A., 1884, p. 113.)

8. Prayer at Session meetings. "While the act of opening and closing the meetings of a Session with prayer is not enjoined by the Constitution, this Assembly judges it to be in harmony with the spirit of the Constitution and the prevailing usage of the Church to observe this solem-

nity at all meetings of record, except that the opening prayer may properly be omitted after a divine service." (Minutes G. A., 1884, p. 113.) "The Session has discretion as to the circumstances under which any given meeting may be opened and closed with prayer." (Minutes G. A., 1892, p. 213.)

IV. QUORUM.

1. Constitutional provision. "Of this judicatory, two elders, if there be so many, with the pastor, shall be necessary to constitute a quorum; unless the elders number nine or more, when one third of the elders, with the pastor, shall be necessary to constitute a quorum." (F. G., Ch. IX, § 2.)

2. Quorum essential. "Any number of members less than the Constitutional quorum do not make a judicatory, and are not competent to any organic act." (Minutes G. A., N. S., 1861, p. 456.)

3. One elder in certain cases. "Cases may occur with infant or feeble churches in which it would be impracticable for a time to have more than one elder, and yet be necessary to perform acts of a judicial character. For such the Constitution provides." (Minutes G. A., 1836, p. 263.)

4. When an elder refuses to act. "If Mr. A., as alleged, refuses to act as a ruling elder, and has left the church, Mr. C. constitutes the Session, and is entitled to act as such." (Minutes G. A., O. S., 1869, p. 911.)

5. Quorum and nonresident elders. When of three elders in a Session, two were nonresident, and their residences unknown, the Assembly ordered "that the pastor and the one elder actually in the congregation" be recognized under existing circumstances, and so long as the present condition of affairs may continue as the legal quorum. (Minutes G. A., 1892, p. 189.)

6. Pastor may be a quorum. In the rare cases of the removal or death of all the elders of a given church, or of newly formed congregations unable at once to secure ruling elders, the letter and the spirit of the Constitution

require that the regularly installed pastor, if there be one, or the moderator appointed by Presbytery, should act as the Session, until a duly called meeting of the congregation elects new elders. If such a meeting cannot be held, the matter should be referred to Presbytery at the earliest time possible.

V. CLERK.

1. Appointment and term of service. "Every judicatory shall choose a clerk, to record their transactions, whose continuance shall be during pleasure." (F. G., Ch. XX.) "The term of the Stated Clerk (of the General Assembly) shall be fixed at five years, subject to reëlection at the pleasure of the Assembly. (Minutes G. A., 1921, p. 32.)

2. Clerk should be an elder. Sessions sometimes appoint the pastor to the office of clerk. This, however, should not be done, in view of the fact that the pastor is by law the moderator of Session. An elder is the proper person to perform the duties of the office, and can be instructed therein by the pastor, if necessary.

3. Duties. "It shall be the duty of the clerk, besides recording the transactions, to preserve the records carefully; and to grant extracts from them, whenever properly required." (F. G., Ch. XX.) In addition to the preceding requirements, the clerk receives notices of complaints and letters of dismissal of Church members from other churches, signs letters of dismissal of and citations in judicial cases, authenticates records of testimony, conducts the correspondence of the Session, and acts as clerk at meetings of the congregation.

4. Authority of extracts from records. "Such extracts, under the hand of the clerk, shall be considered as authentic vouchers of the fact which they declare, in any ecclesiastical judicatory, and to every part of the Church." (F. G., Ch. XX.)

5. Response of Stated Clerks to requests for excerpts from records. They shall comply with such

requests: (*a*) When requested by vote of the judicatory of which the clerk is an officer, or of a superior judicatory. (*b*) When requested in writing by a member (minister, or elder commissioner) of which the clerk is an officer. (*c*) When requested in writing by the Session of a church under the jurisdiction of the judicatory of which the clerk is an officer. (*d*) When requested by one of the original parties or his officially recognized counsel, in a case of discipline or review, of reference, of complaint, or of appeal. *Provided*, however, that under no circumstances whatever shall a clerk grant an extract or extracts from records of the judicatory of which he is clerk, when in doubt as to his right so to do under the Constitution of the Presbyterian Church in the U. S. A., as contained in the Form of Government and Book of Discipline until he shall have presented the request for an extract or extracts from his records to the judicatory of which he is clerk and has received instructions from said judicatory as to his duty in the premises. (Minutes G. A., 1922, Part I, p. 201.)

6. Minutes to be correctly kept. One of the requirements of the Book of Discipline, Chapter IX, Section 73, is that the Presbytery on review shall examine "whether the proceedings have been correctly recorded." It is advisable for the clerk, therefore, to read his notes of the proceedings of a given meeting of the Session, at the close of such meeting, as well as to secure their approval at the opening of the meeting next ensuing. See also under "Records."

7. Rules for the keeping of minutes. (1) Record the date, time, and place of each meeting; the names of the moderator and the elders present and the names of the absentees.

(2) Record the opening and closing of each meeting with prayer.

(3) Record the reading and approval of the minutes of the last meeting.

(4) Record only that which is vital to the transactions of the meeting.

(5) The details of discussions, plans which have not been adopted, suggestions which have not been followed, motions that have been lost, should never be recorded except by special order of the Session of which order the records should take note.

(6) When a previous action of the Session is referred to, the page or pages on which it is recorded should be designated.

(7) Avoid erasures, interlineations, and footnotes.

(8) Do not insert in the records written or printed matter on separate sheets of paper.

(9) Record the administration of the sacrament of the Lord's Supper at the next regular meeting succeeding. In case the sacrament has been administered privately, the name of the elder or elders assisting should be noted.

(10) Record the baptism of adults and of infants at the next regular meeting succeeding.

(11) Record the full name of applicants for Church membership; in case of married females, the maiden name, and wife or widow of; in the case of minors, son or daughter of; and in every case whether baptized.

(12) Record the full title of the church to which a certificate of dismission is granted, and the full name of the person dismissed with the date of dismissal.

(13) Record the name of the elder appointed as a commissioner to Synod or Presbytery; also the exact period for which he was appointed commissioner; also upon the expiration of his term of service as delegate his report of his attendance and fidelity.

(14) The record of each meeting is to be duly attested by the clerk or moderator.

(15) When the Session of a church finds it necessary to exercise discipline, the Form of Government, the Book of Discipline, and the Digest should be carefully studied by

the clerk of Session. (See especially Presbyterian Digest, 1922, Volume I, page 806, second column.)

(16) Once each year (the official Church year ends March 31) and at the conclusion of the minutes of the meetings of said year, there should be inserted in full the annual tabular statement which the Session of the church has made to the Presbytery. Also the report made by the Session to Presbytery of changes in the ruling eldership by death or otherwise; also in outline, the important actions taken at the congregational meetings held during the year.

8. Docket. The docket of business for Session meetings should be prepared by the clerk, and handed by him to the moderator at the opening of each Session. The following form is suggested, and contains the more important items of business likely to come before a Session, except those connected with judicial cases. It can be modified to suit specific needs:

(1) Opening prayer.
(2) Calling of roll.
(3) Reading and approval of minutes.
(4) Reports of permanent committees.
(5) Reports of special committees.
(6) Report of pastor.
(7) Report of clerk.
(8) Report of treasurer.
(9) Examination and reception of members.
(10) Dismissal of members.
(11) Arrangements for Lord's Supper when necessary.
(12) Report to Presbytery when in order.
(13) Appointment of commissioner to Presbytery or Synod.
(14) Unfinished business.
(15) Miscellaneous business.
(16) Adjournment.
(17) Prayer and benediction.

9. Disability or absence of clerk. In the disability or absence of the clerk, the moderator is to act in the matter of the receiving and filing of complaints and appeals. (B. D., Ch. IX, §§ 85, 97.) The Session, however, for the record of its own transactions should appoint a clerk *pro tempore.*

VI. TREASURER.

1. Reason for appointment. Chapter VI of the Directory for Worship directs the Session to apportion the benevolent offerings of the congregation among the Boards of the Church. This involves the receipt and payment of the funds contributed by church members. For the systematic conduct of the finances of Session, a treasurer, therefore, should be appointed. When the Session is small the clerk may be elected as treasurer. See, also, "Offerings."

2. Two treasurers are advised. Pastors and Sessions are advised that experience is demonstrating that the purposes of the benevolence budget are best promoted in our particular churches by each church having a benevolence treasurer elected by the Session who is not the treasurer of the congregational funds, and they are earnestly counseled to constitute such a separate treasurer for their benevolence funds. (Minutes G. A., 1923, p. 258.)

3. Reports. The treasurer of Session should report to the Session at its regular meetings the condition of the funds in his charge, and just after the close of the ecclesiastical year, on March 31, should present an annual report for use in preparing the statistical report of Session to Presbytery.

A further duty of the treasurer is to see that the accounts of all the church organizations are kept in a satisfactory manner, and that suitable forms are furnished to their officers by March 1, so that the annual reports of the organizations may set forth a complete exhibit of the work done by them.

VII. COMMITTEES.

1. Permanent committees. The oversight of the general interests of the congregation by the Session, can be most efficiently conducted by the appointment of permanent committees upon the more important matters of Sessional business.

Among the usual committees needed in the average church are those on the Sabbath school, music, church societies, finance, and conference with the trustees.

2. Special committees. Special committees are appointed for the consideration of matters needing immediate and temporary attention. They may consist of one or more members.

3. Committees on judicial matters. For committees of investigation and prosecution, see under "Judicial Cases."

4. Appointment. See "Rules for Judicatories," p. 330, Rule VII.

5. Pastor a member. The pastor by virtue of his office is a member of all Sessional committees, whether special or permanent.

6. Conduct of committee business. Great care should be taken by the committees of Sessions when dealing with the Sabbath school, the missionary, and other societies, the deacons and trustees, to avoid all causes of friction. The advice of the Assembly in the case of the relations of the Session with the trustees, is pertinent to all committee business: "that all such questions be treated by the Session with Christian tact and courtesy, in the spirit of love and forbearance." (Minutes G. A., 1893, p. 90.)

7. References to committees. All matters directly connected with the business of a permanent or special committee of Session, should be referred to it for report, or, if immediate action is required, should be brought by it before Session through the moderator.

8. Reports. Permanent committees should be called upon for reports at every regular meeting of the Session, and the resolutions appointing special committees should contain a clause requiring them to report at the meeting next ensuing.

VIII. RECORDS.

1. Fair record of proceedings to be kept. "Every Session shall keep a fair record of its proceedings." (F. G., Ch. IX, § 9.) The phrase "fair record" indicates that it is not expected that Sessional should be as minute as Presbyterial records, for concerning the latter it is declared (F. G., Ch. X, § 8) to be the duty of the Presbytery to keep a "full and fair record." A record, therefore, may be fair without being minute. It is desirable that the record should be both accurate and neat.

2. Forms of records. See forms for many of the items of business transacted by the Session in Part VI, p. 345.

3. Minutes of board of deacons. It is discretionary with church Sessions to order the minutes of the board of deacons to be incorporated with the records of Session. (Minutes G. A., 1891, p. 107.)

4. Church meetings. "All proceedings of the church shall be reported to, and reviewed by, the Session, and by its order incorporated with its records." (B. D., Ch. IX, § 72.)

Basing its action upon this section of the Constitution of the Church, the General Assembly has repeatedly directed that Boards of Trustees should annually submit to the Presbyteries, through the Sessions, the complete record of their proceedings.

The intent of these actions is that either the original minutes of the meetings of trustees should be transmitted, or that certified copies of same should be furnished. (Minutes G. A., 1924, p. 161.)

5. Church meetings, incorporation mandatory. "The rule is not discretionary, but mandatory, that

church Sessions shall order the incorporation of the proceedings of congregational meetings with their own records." (Minutes G. A., 1887, p. 117.)

6. Church meetings, extent of incorporation. "It is in the power of church Sessions to direct that the proceedings of such meetings (congregational) or of the corporation, (whether said proceedings are reported to the Session in the form of minutes of meetings or as reports of boards or committees), shall be incorporated in the Sessional records in such a manner, and to such an extent only, as will faithfully exhibit the action taken." (Minutes G. A., 1887, p. 118.)

7. Trustees, proceedings of, at congregational meetings. Referring to the preceding action, the Assembly has said that "this construction of the rule in question is to be understood to apply to the proceedings of trustees in all cases, in which, under the laws of the places where they exercise their functions, their action is subject to review by Session." (Minutes G. A., 1887, p. 118.)

8. Yearly review by Presbytery. The "record shall be, at least once in every year, submitted to the inspection of the Presbytery." (F. G., Ch. IX, § 9.) "Every judicatory above a Session shall review, at least once a year, the records of the proceedings of the judicatory next below." (B. D., Ch. IX, § 72.) "It is required of all the Presbyteries within the bounds of the General Assembly, annually to call up and examine the Sessional records of the several churches under their care, as directed in the Book of Discipline." (Minutes G. A., 1809, p. 221.)

9. Presbytery may require records to be produced. "If the lower judicatory shall omit to send up its records for this purpose, the higher may require them to be produced, either immediately, or at a specified time, as circumstances may determine." (B. D., Ch. IX, § 72.)

10. Records once approved cannot be altered by Session. "A record once approved by a higher court

cannot be altered or annulled by a lower one. If there be an error in the record, the remedy is to be sought by an application to the highest judicatory that has endorsed such mistake." (Minutes G. A., N. S., 1862, p. 34.)

IX. ROLLS AND REGISTERS.

1. Communicant rolls. A Presbyterian church is authorized to have four rolls:

a. The roll of members in good and regular standing. This roll should be divided into two classes where necessary to include all its members, namely, resident members and nonresident members. (B. D., Ch. VII, § 50.) The number of communicant members to be reported annually to the Presbytery is the number upon this roll including both of these classes, resident and nonresident.

b. The roll of suspended members. This roll is to include the names of communicant members who have been suspended "with process" or "without process" by the Session. The names on this roll are not to be counted in reporting annually to the Presbytery the number of communicant members.

c. The roll of affiliated members. "When any member removes from a community in which the church is located, of which he is a member, for the purpose of securing an education, the Session of said church may issue to him a certificate of good standing, which, if issued, shall be used by the member receiving it solely for the purpose of establishing affiliated membership, without enrolling as a regular member, in a church located in the community of which the educational institution he attends is a part. The certificate shall be good for two years, subject to renewal. The Session issuing the certificate shall duly notify the fact to the pastor of the church named therein and shall retain the name of the member on the roll of the home church." (B. D., Ch. XII, § 114.)

d. The roll of baptized children of communicant members. (Minutes G. A., 1882, p. 98; also B. D., Ch. XII, § 114.)

2. Additional rolls. In addition to these four rolls, every church should prepare, and keep up to date, two lists of names:

a. A list of those who are qualified to vote in meetings of the congregation. This list should include all the communicant members of the church who are in good standing, also all other persons, who regularly contribute to the support of the church, by such methods as are officially recognized in the church.

b. A list of those who are qualified to vote in the meetings of the corporation. This list should include all communicant members in good standing, who are of full age; also all other persons of full age who regularly contribute to the support of the church by such methods as are officially recognized in the church. (F. G., Ch. XXVII, § 4.) p. 331.

3. Adding, removing, restoring names. The law and usage of our Church may be summarized as follows with reference to adding names to, removing names from, and restoring names to the first of the rolls mentioned above, namely, the roll of communicant members in good and regular standing:

a. Adding names to the communicant roll. Names may be legally added to the communicant roll of a church in three ways only, under ordinary circumstances:

(1) When an applicant for membership is received by the Session on certificate from some evangelical church.

(2) When an applicant is received by the Session on confession of faith. The General Assembly of 1911 (see Minutes G. A., p. 242) declared: "The only conditions of admission to the Church are a profession of faith in Christ and obedience to Him, followed by baptism in the Name of the Father, and of the Son, and of the Holy Ghost."

Only the Session of a church in regular meeting assembled can receive an applicant into membership. For the only exceptions to this rule, see caption No. 3, p. 213; caption No. 5, p. 214; see, also, caption 20, p. 78. In

the case of applicants for membership on confession of faith, personal appearance before the Session is essential, except in cases when serious illness or other providential circumstances prevent such personal appearance. In such cases a Session may accept the report of an examining committee duly appointed for the specific purpose.

(3) To the above two historic and usual ways of adding names to the communicant roll, the Church in 1927, by regular constitutional method, added a third, namely, by reaffirmation of faith. Need was felt for this legislation in order to meet the case of those who had formerly professed Christ, and still acknowledged allegiance to him, but because of removal or otherwise were unable to secure letters of dismission. See p. 69, 7.

b. Removing names from the communicant roll. Names are removed from a communicant roll:

(1) By death.

(2) By certificate of dismission to another church, which church must be in good standing in an evangelical denomination.

(*a*) Sessions should use the official form of certificate.

(*b*) Sessions may grant certificates of dismission by special vote, or the pastor or clerk may be authorized to issue such certificates to those in good standing and make report at the next meeting of the Session.

(*c*) A particular church must be designated in the certificate, though the holder may deposit it with "some other evangelical church." (B. D., Ch. XI, § 109.)

(*d*) Said church must be notified that such certificate has been granted and to whom. The fact of the reception of the person, or persons, named in the certificate of dismission shall be promptly communicated to the church which gave it. (B. D., Ch. XII, § 114.)

(*e*) Said certificate is good for one year only.

(*f*) "If a church member, more than two years absent from the place of his ordinary residence and church con-

nections, applies for a certificate of membership, his absence, and the knowledge of the church respecting his demeanor for that time, or its want of information concerning it, shall be distinctly stated in the certificate." (B. D., Ch. XII, § 116.)

(*g*) Ordinarily, only the Session can grant a certificate of dismission. The members of a church dissolved by Presbytery receive certificates of dismission from the Presbytery. Also, upon an appeal from an adverse decision of a Session, a Presbytery on its own authority, or by direction of a Synod, may grant certificates of dismission.

(*h*) "The names of the baptized children of a parent seeking dismission to another church shall, if such children are members of his household and remove with him and are not themselves communicants, be included in the certificate of dismission." (B. D., Ch. XII, § 114.)

(3) By discipline,"in cases of process." That is to say, by conviction on evidence in a formal trial. See Book of Discipline, Chapters II, III, IV, and V, for details.

(4) By discipline, "in cases without process." That is to say, by Sessional action without formal trial.

(*a*) The name of a communicant, fully persuaded that he has no right to come to the Lord's table, may be erased from the roll of communicants. (B. D., Ch. VII, § 49.)

(*b*) The name of a communicant absent two years and residence known may be placed on the roll of suspended members. (B. D., Ch. VII, § 50.)

(*c*) The name of a communicant absent three years and residence unknown may be placed on the roll of suspended members. (B. D., Ch. VII, § 50.)

(*d*) A resident communicant neglecting the ordinances of the Church for one year, may be suspended from the communion of the Church until evidence of repentance is given. (B. D., Ch. VII, § 51.)

(*e*) If a resident communicant persistently absents himself from the ordinances of religion, the Session may

place his name upon the roll of suspended members. (B. D., Ch. VII, § 51.)

(5) By erasure.

(*a*) A communicant joining another denomination without regular dismission shall have his name erased from the communicant roll. (B. D., Ch. VII, § 53.)

(*b*) The same action shall be taken if the so-called denomination is not recognized as an evangelical denomination.

(6) By ordination to the ministry. When a man is duly ordained to the gospel ministry, the Session of the church shall erase his name from the roll of communicant members with a record of the fact and date of his ordination.

c. Restoring names to the communicant roll.

(1) Names may be restored to the communicant roll when the Session, which has found it necessary to exercise discipline, either in cases with process or in cases without process, is fully satisfied that the ends of discipline have been secured and circumstances justify restoration to membership.

(2) A member of a church returning a certificate of dismission to another church within a year from its date, shall be restored to membership in the church granting said certificate, but he shall not be restored to the exercise of functions of any office previously held by him in the church. (B. D., Ch. XI, § 109.)

(3) A minister who has been permitted to demit the ministry by action of Presbytery, shall have his name placed on such communicant roll as he may designate. (B. D., Ch. VII, § 52.)

4. Register of marriages and deaths.

a. It is important that every church Session keep a fair register of marriages and of the deaths of church members. (F. G., Ch. IX, § 10.)

b. The Publication Department of the Board of

Christian Education has provided suitable books for keeping these rolls and registers.

5. Custody of registers. The volume or volumes containing the records of Session and the facts concerniug church members should be in charge of the clerk of Session, and the pastor should report to the clerk all necessary items of baptisms, marriages, etc.

X. RECEPTION OF MEMBERS.

1. Constitutional provisions. The Session has power to receive members into the church. (F. G., Ch. IX, § 6.) See for reception on confession, caption No. 18, p. 71, and by certificate, caption No. 2, p. 74.

2. Terms of membership. The only terms of membership are the conditions of salvation. "A profession of faith in Christ and obedience to him is all that is required in our Standards of those who are out of the visible Church, in order to their being baptized." (Minutes G. A., N. S., 1860, p. 244. See C. F., Ch. XXVIII, § 4; and L. C., Q. 166; S. C., Q. 95.) Faith in Christ involves repentance for sin, dependence for salvation upon his atoning work, recognition of his deity, acknowledgment of his authority as Lord, and acceptance of the Scriptures as the Word of God.

3. Vote of Session is the final act. For the reception of church members, whether by letter or on confession of faith, "the Session is the church, and its act of admission the act of the church. . . . The vote of the Session is the essential and final act by which they are thus received, and needs no subsequent action of the church to give it reality or validity." (Minutes G. A., N. S., 1865, pp. 22, 23.)

4. Members must be received by Session. "The order of the churches requires that all persons making a public profession of religion be introduced to the communion of the Church only by an individual Session regularly constituted." (Minutes G. A., 1832, p. 334.) See for

exceptions, caption No. 3, p. 64, and captions Nos. 3 and 5, pp. 213, 214.

5. Members can be received only into the church over which Session rules. "Sessions cannot receive persons on profession of their faith in Christ, or by letter, into any body except into the organized church of which any given Session is the governing body." (Minutes G. A., 1893, p. 86.)

6. Session not to receive members intending to belong to another church. "The practice of one Session admitting to a Christian profession, persons belonging or intending to belong to a congregation under the care of another Session, is irregular, and ought not to be countenanced." (Minutes G. A., 1832, p. 334.)

7. Absentee members not to be received on confession. "When a person has been absent three years and his residence unknown, the Session of any other Presbyterian church cannot receive him on profession of faith, if restored standing in the church to which he belongs and regular dismission therefrom are possible." (Minutes G. A., 1887, p. 81.)

8. Suspended member cannot be received on examination. A suspended church member uniting with another church on examination, without stating the fact of his suspension, "unites deceptively. So soon as the facts in the case are ascertained by the Session of this second church, the proper order of procedure is for this Session, after conference with the accused person, to strike his name from their roll of church members as not under their jurisdiction, to communicate their action to the Session suspending him, with the reasons for it, and to request the said Session to proceed against him on separate process for duplicity and disorder." (Minutes G. A., N. S., 1866, p. 269.)

9. Applicants for membership having scruples on infant baptism. "While it is clear, that persons otherwise of good Christian character, are not to be excluded

from the communion of that Church, because they have scruples concerning infant baptism, there is in every case, where such persons apply for admission, a question as to the expediency of receiving them, upon which the Session of the church must decide." (Minutes G. A., 1834, p. 36.)

10. Persons disinclined to submit to the ordinances and regulations of the Church not to be received. Persons who do not believe in water baptism (Minutes G. A., 1883, p. 627), and persons not inclined to submit to the discipline of the church (Minutes G. A., O. S., 1853, p. 434), are not to be received.

11. Persons rejecting fundamental doctrines cannot be admitted. Persons who do not believe in the fundamental doctrines of evangelical Christianity are not to be received into membership in the Presbyterian Church. For this reason the Assembly decided that Swedenborgians and Universalists could not be received. (Minutes G. A., 1886, p. 37; 1892, p. 60.)

12. Persons engaged in certain occupations not to be admitted. Persons engaged in secular work on the Sabbath with a view to worldly advantage (Minutes G. A., 1819, p. 713), and persons engaged in the manufacture and sale of intoxicating drinks (Minutes G. A., 1877, p. 558), are not to be admitted to membership.

13. Persons guilty of certain practices. Polygamists (Minutes G. A., 1875, p. 507), and duellists (Minutes G. A., 1805, p. 339), are not to be received until they "manifest a just sense of guilt, and give satisfactory evidence of repentance."

14. Discretion vested in the Session. "Every Session must judge of that degree of knowledge of Christian doctrine, and adherence thereto on the part of those examined by them, which may render their reception suitable, and for their own edification, and the peace of the church." (Minutes G. A., O. S., 1853, p. 434.)

15. Baptism necessary to membership. "The vote of the Session is conditioned upon the baptism, and can in no case be a substitute for the Sacrament itself." (Minutes G. A., N. S., 1867, p. 496.)

16. Baptized children. See p. 87.

17. Examination of applicants. See p. 72.

18. Baptized persons, public profession. "Any forms, for publicly recognizing those who have been thus admitted to sealing ordinances, should give effect to the distinction, so clearly laid down by our Standards, between admitting the children of the church to the Lord's Table, and the unbaptized to membership in the church." (Minutes G. A., 1873, p. 639.)

19. Unbaptized persons, public profession. "When unbaptized persons are to be admitted into the Church, they shall, in ordinary cases, after giving satisfaction with respect to their knowledge and piety, make a public profession of their faith in the presence of the congregation; and thereupon be baptized." (D. W., Ch. VIII, § 3.)

20. Profession of faith may be in the presence of the Session. "The public profession of one's faith may for sufficient reasons, as the Directory for Worship (Ch. X, § 3) implies, be omitted." (Minutes G. A., N. S., 1867, p. 497.) But in such exceptional cases, the profession should be in the presence of the Session or a committee of the Session. A profession made by a person *in articulo mortis*, and only in the presence of a minister or elder, does not constitute membership in the visible Church.

21. Local confession of faith and covenants not authoritative. "Confession of faith and covenants in use among local churches are not essential to the organization of a church, or the establishment of membership therein, since they are not the authoritative standard of faith or practice in the Presbyterian Church." (Minutes G. A., N. S., 1865, p. 23.)

XI. EXAMINATION OF APPLICANTS.

1. Examination of applicants. Those who are to be admitted to sealing ordinances, "shall be examined as to their knowledge and piety." (D. W., Ch. X, § 3.)

2. Examination to be in the presence of the Session. "Inasmuch as the members of the Session are the judges of the qualifications of those to be admitted to sealing ordinances, and the reception of such is their act, the examination of candidates ought manifestly to be in their presence, unless in special cases." (Minutes G. A., 1885, p. 638.)

3. Committee to examine in special cases. With reference to the examination of candidates unable to appear before Session the Assembly has decided that "in special cases of sickness, or other hindrance, this duty may be performed by a committee under direction of the Session." (Minutes G. A., 1885, p. 638.)

4. Persons to examine. The examination of candidates for Church membership should be conducted under the direction of the pastor, or, if there be none, by the moderator of the Session. The ruling elders present may take part in the examination.

5. Previous conference with applicants. The pastor, or, if there be none, the clerk of Session, should confer with applicants, prior to their appearance before the Session, with a view to due preparation for the examination, and to remove any natural fears which may be cherished by young persons.

6. Method and character of examination. The moderator should first ascertain the full name and age of each candidate, and the fact of his or her baptism or non-baptism. These items should be entered upon the memorandum of the clerk of Session for use in the records.

The examination should be as simple as possible, avoiding all theological technicalities, and developing mainly the fact of actual faith in and purpose to serve

faithfully the Lord Jesus Christ. Especially should care be taken not to burden the consciences of converts with doctrines, belief in which is not required of Church members. See p. 29.

7. Questions precedent to admission. The essential facts desired may be ascertained by the moderator addressing the candidate with some such questions as the following:

(1) Do you believe in one God, Father, Son, and Holy Ghost?

(2) Do you believe in Jesus Christ, as the only begotten Son of God, and do you receive him as your Saviour and acknowledge him as your Lord?

(3) Do you believe in the Holy Scriptures as the Word of God, and accept them as the infallible and supreme rule of faith and conduct?

(4) Do you promise to endeavor to lead a consistent Christian life?

(5) Do you promise to obey the rules of this church, to contribute to its support according to ability, to attend its services, and to promote its peace, purity, and welfare, so long as you remain a member?

In the discretion of the Session, it may at times be of interest and profit to pursue a wider range of inquiry, as follows:

(1) The time when a desire was first felt by the candidate to confess Christ.

(2) The influences which led to this desire.

(3) The motives impelling to union with the Church.

(4) The habits of the candidate with respect to prayer and reading of the Scriptures.

(5) The acceptance by the candidate of the Scriptures as the Word of God.

(6) The extent of the realization of sin and consequent need of a Saviour.

(7) The dependence upon the Lord Jesus Christ alone for salvation.

(8) The knowledge of fundamental Christian doctrine.

(9) The purpose to obey and serve Christ in the life.

(10) The purpose to perform faithfully the duties of Church membership.

8. Reception of applicants. The applicants having passed a satisfactory examination, a motion should be made to receive them into the membership of the Church, and upon its adoption, the members of Session should extend a cordial welcome in the name of Christ, and the moderator should arrange definitely with them for their public reception into the membership of the Church.

9. Right of Session to refuse to receive applicant. A Session has the right to refuse to receive into church membership an applicant bearing a letter, certifying good and regular standing, and is not compelled to give any reason. (Minutes G. A., 1912, p. 166.)

XII. DISMISSAL OR WITHDRAWAL OF MEMBERS.

1. Session to counsel transfer. It is "enjoined upon the Sessions of our churches, on the removal of any member beyond the boundaries of their own organization, " to "counsel these members to transfer their relation immediately, if practicable, or at the earliest opportunity." (Minutes G. A., O. S., 1869, p. 923.)

2. Certificate required. "When any member shall remove from one church to another, he shall produce a certificate, ordinarily not more than one year old, of his church membership and dismission, before he shall be admitted as a regular member of that church." (B. D., Ch. XII, § 114.)

3. Jurisdiction over transferred member. "A member of a church, receiving a certificate of dismission to another church, shall continue to be a member of the church giving him the certificate, and subject to the jurisdiction of its Session, . . . until he has become a member

of the church to which he is recommended, or some other evangelical church." (B. D., Ch. XI, § 109.)

4. Certificate to be addressed to a church. "The certificate shall be addressed to a particular church." (B. D., Ch. XII, § 114.)

5. Certificate good in any evangelical church. While a certificate of dismission is to be addressed to a particular church, the holder may deposit it with "some other evangelical church." (B. D., Ch. XI, § 109.)

6. Certificate to include children. In addition to the name of the Church member, if that member be a parent "the names of the baptized children . . . shall, if such children are members of his household and remove with him and are not themselves communicants, be included in the certificate of dismission." (B. D., Ch. XII, § 114.)

7. Sessions may delegate authority to issue certificates. The Assembly "does not find in the Form of Government anything which would invalidate the custom of authorizing by vote of Session, its moderator or stated clerk to issue letters in the interim of the meetings of the Session, to members who are in good standing, and to report such dismissions to the Session at its next meeting." (Minutes G. A., 1891, p. 106.)

8. Effect of certificate. "A letter of dismission, whether issued to a ruling elder or private member, terminates the relations of the person dismissed with the church giving the letter, except so far as said church is responsible for its watch and care over him during the period of transition." (Minutes G. A., N. S., 1867, p. 512.) A dismissed member, further, shall "not deliberate or vote in a church meeting, nor exercise the functions of any office, until he has become a member of the church to which he is recommended." (B. D., Ch. XI, § 109.)

9. Notification to churches. The clerk of the Session granting certificates of dismission should notify

the church to which members are dismissed of the fact. (Minutes G. A., O. S., 1869, p. 923.)

10. Reception to be reported. "The fact of the reception of the person or persons named" in the certificate of dismission, "shall be promptly communicated to the church which gave it." (B. D., Ch. XII, § 114.) And until such notice is received the names of the persons dismissed should not be removed from the roll.

11. Irregularity does not invalidate dismission. In the case of certain persons whose dismission was not in regular form, "the Assembly, while not approving of the haste and confusion with which their dismission was given," "declared their actual connection with the church of ———— now to be valid and regular." (Minutes G. A., O. S., 1849, p. 266.)

12. Dismissal of absentee members. "If a church member, more than two years absent from the place of his ordinary residence and church connections, applies for a certificate of membership, his absence, and the knowledge of the church respecting his demeanor for that time, or its want of information concerning it, shall be distinctly stated in the certificate." (B. D., Ch. XII, § 116.)

13. Suspended member, dismission of. "It may be orderly in circumstances of necessity, arising from removal to an inconvenient distance," to "dismiss to another church a suspended member," "provided that in no instance the Session from which he be dismissed be allowed to review or rejudge the case." (Minutes G. A., O. S., 1849, p. 239.) See p. 80, caption No. 7.

14. Suspended member may claim dismission when restored. "When a superior judicatory has taken action restoring a suspended member to a good standing said member has the right on application to receive a regular certificate of dismission from the Session with which he is connected to any other church which he may name." (See Minutes G. A., 1824, p. 223.)

15. Form of dismission to other denominations. The whole subject of the form of dismission to other denominations "is one that ought to be left to the sound discretion of the various church Sessions." (Minutes G. A., O. S., 1851, p. 28.) A certificate of Christian character, as a rule, will be sufficient. See suggestion of form, p. 371.

16. Members uniting with other denominations without certificates. "If a communicant renounces the communion of this Church by joining another denomination, without a regular dismission, although such conduct is disorderly, the Session shall take no other action in the case than to record the fact, and order his name to be erased from the roll. If charges are pending against him, these charges may be prosecuted." (B. D., Ch. VII, § 53.)

17. Return of certificate within a year restores rights, except those of office. Should a member "return the certificate, within a year from its date, the Session shall make record of the fact, but he shall not thereby be restored to the exercise of the functions of any office previously held by him in that church." (B. D., Ch. XI, § 109.)

18. Returned certificates more than one year old. No direction as to the course to be pursued, when a returned certificate is more than one year old, is given in the Book of Discipline. In such cases the Session should make due inquiry into the reasons for the delay, and make record of such inquiry in its minutes. If "it appears that the parties in question had good and sufficient reasons for such delay, being unsettled as to a permanent home; their moral and religious life, meantime, being well known to the Session as fully comporting with the requirements of the gospel of Christ," they may be restored to the full privileges of membership. (Minutes G. A., 1880, p. 79.)

19. Modified certificates. Absence from the ordinances of God's house, or other sufficient cause, may justify a Session in omitting from a certificate the words, "in good and regular standing." Session has the power to

grant a "certificate agreeable to the Constitution of the Church and to the truth." (Minutes G. A., O. S., 1864, p. 328.) See further, under caption No. 12, p. 76, and also form of modified certificate, p. 371.

20. Presbytery may grant a certificate. A Session refused to obey an order of Presbytery to grant a certificate, and thereupon the Synod directed Presbytery to furnish the same. The member receiving the certificate appealed on the ground that such certificate, not being issued by Session, "must necessarily be considered not a valid document." The judgment of the Assembly was "that the Synod had the power to issue the order complained of, and the certificate so issued is a valid document." (Minutes G. A., 1875, p. 511.)

21. Members of extinct church. See p. 213.

22. Letters of credence. "The General Assembly urge upon the Sessions of churches the importance of giving to members who remove from them, in case of uncertain destination, letters of credence." (Minutes G. A., 1871, p. 587.)

23. Letters of introduction. The General Assembly has recommended that Church members visiting Europe be given "letters of introduction to the pastors of European churches" of the Presbyterian faith and order. (Minutes G. A., 1894, p. 156.)

24. What printed forms to be used. The Assembly urges upon all our churches the use of the printed blanks for dismission and reception furnished by the publishing agency of the Church. (See Minutes G. A., 1871, p. 587.) See p. 370.

XIII. SUSPENDED OR DROPPED MEMBERS.

Cases Without Process.

The Session of a church has power by virtue of the provisions of the Constitution to suspend or drop members in certain cases, without trial. These cases are as follows:

1. Communicant holding mistaken views. "If a communicant, not chargeable with immoral conduct, inform the Session that he is fully persuaded that he has no right to come to the Lord's Table, the Session shall confer with him on the subject, and may, should he continue of the same mind, and his attendance on the other means of grace be regular, excuse him from attendance on the Lord's Supper; and, after fully satisfying themselves that his judgment is not the result of mistaken views, shall erase his name from the roll of communicants, and make record of their action in the case." (B. D., Ch. VII, § 49.) See p. 355.

2. Absentee members, general power. "Although great caution and tenderness ought to be exercised toward those whose withdrawing from Christian privileges may be occasioned by the unavoidable dispensation of Providence, without any material fault of their own, yet in all cases, in which a church Session has good reason to believe that any of the Church members under their care have absented themselves with design, either from a disregard of Christian privileges or from a wish to escape from the inspection and discipline of the church, they ought, without unnecessary delay, to declare such persons suspended from the privileges of the church until they give evidence of repentance and reformation." (Minutes G. A., 1825, p. 255.) See p. 352.

3. Communicant absent for two years, whose residence is known, may be suspended. If a communicant, not chargeable with immoral conduct, removes out of the bounds of his church, without asking for or receiving a regular certificate of dismission to another church, and his residence is known, the Session may, within two years, advise him to apply for such certificate; and, if he fails so to do, without giving sufficient reason, his name may be placed on the roll of suspended members, until he shall satisfy the Session of the propriety of his restoration. (B. D., Ch. VII, § 50.)

4. Communicant who neglects ordinances may be suspended. "If any communicant, not chargeable with immoral conduct, neglects the ordinances of the church for one year, and in circumstances such as the Session shall regard to be a serious injury to the cause of religion, he may, after affectionate visitation by the Session, and admonition if need be, be suspended from the communion of the Church until he gives satisfactory evidence of the sincerity of his repentance, but he shall not be excommunicated without due process of discipline." (B. D., Ch. VII, § 51.) See p. 354.

5. Communicant absent for three years, whose residence is unknown, may be dropped. But, if the Session has no knowledge of him for the space of three years, it may erase his name from the roll of communicants, making record of its action and the reasons therefor. (B. D., Ch. VII, § 50.)

6. Members uniting with other denominations without certificates, may be dropped. See under "Dismissal and Withdrawal of Members," p. 77.

7. Suspended members, jurisdiction over. In all cases of suspension, whether for offences or absences, members continue under the jurisdiction of the Session which suspended them. (Minutes G. A., N. S., 1866, p. 269.) See p. 76, caption No. 13.

XIV. BAPTISM.

1. To whom to be administered. "Baptism is not to be administered to any that are out of the visible Church, and so strangers from the covenant of promise, till they profess their faith in Christ, and obedience to him; but infants descending from parents, either both or but one of them professing faith in Christ, and obedience to him, are in that respect within the covenant, and are to be baptized." (L. C., Q. 166; also, S. C., Q. 95.)

2. Involved in reception. "The administration of baptism according to the Word of God, in the case of un-

baptized persons, must of course be involved in, and attendant upon," the Sessional act of reception to membership. (Minutes G. A., N. S., 1865, p. 22.)

3. Minister to officiate. "The party is to be baptized . . . by a minister of the gospel, lawfully called thereunto." (C. F., Ch. XXVIII, § 2.)

4. Water essential to the sacrament. A person cannot "be admitted to membership in the Presbyterian Church who has not received water baptism in any mode, and who does not believe in other baptism than the baptism of the Holy Ghost." (Minutes G. A., 1883, p. 627.)

5. Time. Baptism may be administered "either at the time (of reception by Session) which would be entirely proper, or at a subsequent period appointed for this purpose." (Minutes G. A., N. S., 1865, p. 22.) The time usually appointed, is immediately in connection with the public profession of faith of new members, and preceding the administration of the Sacrament of the Lord's Supper.

6. Place, usually the church. "It is usually to be administered in the church, in the presence of the congregation." (D. W., Ch. VIII, § 1.)

7. Mode. "The Confession of Faith, Chapter XXVIII, Section 3, teaches as follows—viz., 'Dipping of the person into the water is not necessary; but baptism is rightly administered by pouring or sprinkling of water upon the person.' " (Minutes G. A., 1834, p. 18.)

8. Form of baptism. Baptism is to be administered to adults by sprinkling with water, accompanied by the words of the authorized formula, "I baptize thee in the name of the Father, and of the Son, and of the Holy Ghost." (D. W., Ch. VIII, § 3.) It should be preceded by a confession of faith on the part of the person to be baptized, and should be followed by a brief prayer by the officiating minister.

9. May be in private houses. Although it is proper that baptism be administered in the presence of the congregation, yet there may be cases when it will be expedient

to administer this ordinance in private houses; of which the minister is to be the judge. (D. W., Ch. VIII, § 1.) This provision of the Constitution is understood to be applicable chiefly to the baptism of infants.

10. Baptism of Roman Catholics. Converts from Romanism applying for admission sometimes desire to be baptized in accordance with the forms of the evangelical Churches. The question of the baptism of such converts is "left to the judgment of each church Session, guided by the principles governing the subject of baptism, as laid down in the Standards of our Church." (Minutes G. A., 1875, p. 514; 1885, p. 593.) If the applicants are satisfied with their baptism in infancy, then the Session may receive them upon that baptism; if, on the other hand, the applicants are not satisfied, the Session may order that they be baptized. Our Church cannot take a position with reference to this matter of baptism which would imply that it is indispensable to salvation. Baptism is the sign and seal of an inward condition, and the Church, therefore, has given Sessions liberty to decide every case of Roman Catholic baptism upon its own merits.

11. Baptism not to be repeated. "The Sacrament of Baptism is but once to be administered to any person." (C. F., Ch. XXVIII, § 7.)

12. Infant baptism. The requirements in connection with the baptism of infants are given under the head, "Children of Believers," and will be found on p. 87.

XV. THE LORD'S SUPPER.

1. Membership in evangelical churches a prerequisite to communion. "It is not in accordance with the spirit and usage of the Presbyterian Church" "to invite persons not members of any *evangelical* church, to partake of the Lord's Supper." (Minutes G. A., 1872, p. 75.) "The language of the Book (D. W., Ch. IX, § 4), relied upon by some to authorize indiscriminate communion, is not correctly interpreted by them. Although, in

describing the persons there invited to the Lord's Table, Church membership is not expressed, it is clearly implied." (Minutes G. A., 1876, p. 79.)

2. Frequency of communion. "The Communion, or Supper of the Lord, is to be celebrated frequently; but how often, may be determined by the minister and eldership of each congregation, as they may judge most for edification." (D. W., Ch. IX, § 1.)

3. Public notice to be given. "It is proper that public notice should be given to the congregation, at least the Sabbath before the administration of this ordinance." (D. W., Ch. IX, § 3.)

4. Preparatory lecture. "It is proper that . . . the Sabbath before the administration of this ordinance, . . . or on some day of the week, the people be instructed in its nature, and a due preparation for it." (D. W., Ch. IX, § 3.)

5. Communicants' classes. "To secure intelligent confession of Christ at his table, it is desirable that there be something of the nature of a communicants' class in each congregation, duly made known from the pulpit, conducted by the pastor, or, in exceptional cases, by a competent member of the church. This class should be, if not continuous, for, say, a month before each communion season; it should be so conducted as to elicit free statements of belief and experience of religious truth and devotional feelings." (Minutes G. A., 1889, p. 63.)

6. Special services. "As it has been customary, in some parts of our Church, to observe a fast before the Lord's Supper; to have a sermon on Saturday and Monday; and to invite two or three ministers on such occasions; and as these seasons have been blessed to many souls, and may tend to keep up a stricter union of ministers and congregations; we think it not improper that they who choose it may continue in this practice." (D. W., Ch. IX, § 6.)

7. Place. The place where the Lord's Supper is publicly

administered should be the audience room in which the public worship of the congregation is conducted.

8. Time. Usually the Lord's Supper is administered at either the morning or evening service on a Lord's Day, immediately after the sermon. This usage is in accordance with the opening sentence of the Directory for Worship, Chapter IX, Section 4. In many congregations, however, the administration of this Sacrament is conducted as an independent service, at some hour on the Lord's Day, and a brief address is substituted for the sermon. The Session has the power to make such arrangements in this matter of time, as may seem to them best.

9. Where there is no church organized. "The restriction laid by the last General Assembly on our missionaries, which confines them to administer the ordinance of the Lord's Supper in such places only where there are church officers regularly appointed, is hereby repealed." (Minutes G. A., 1798, p. 146.) It is the usage for ministers to administer communion to assemblies of Christians other than organized churches.

10. Kinds of wine. "The essential elements of the Lord's Supper are bread and wine. The General Assembly has always recognized the right of each church Session to determine what is bread and what is wine. No new legislation is needed on this subject." (Minutes G. A., 1881, p. 548; 1882, p. 557.) "It is the sense of the Assembly that the unfermented fruit of the vine fulfills every condition in the celebration of the Sacrament." (Minutes G. A., 1895, p. 101.)

11. Ministers only to officiate. "The Lord Jesus hath, in this ordinance, appointed his ministers to declare his word of institution to the people, to pray, and bless the elements of bread and wine, and thereby to set them apart from a common to an holy use: and to take and break the bread, to take the cup, and (they communicating also themselves) to give both to the communicants; but to none who are not then present in the congregation."

(C. F., Ch. XXIX, § 3; see also L. C., Q. 169.) Neither of the Sacrament "may be dispensed by any, but by a minister of the Word, lawfully ordained." (C. F., Ch. XXVII, § 4.) The letter and spirit of Chapter IX of the Directory for Worship also involve that no one but a minister can administer this Sacrament.

12. Ruling elders to aid in the passing of the elements. It is the usage in some congregations for the minister to distribute the elements. In most congregations, it is the custom for the ruling elders to assist the minister in the distribution. If they be not available or sufficient, then the minister may invite the deacons, or in extreme cases other persons.

13. No rule as to persons to aid the minister. "Inasmuch as we have no rule in relation to the subject, the matter is referred to the discretion of the Sessions of the churches." (Minutes G. A., 1877, p. 516.)

14. Deacons may aid in the distribution of the elements. It is "in accordance with the Presbyterian law and usage that deacons distribute to the church members the bread and wine in the Sacrament of the Lord's Supper." (Minutes G. A., 1874, p. 84.)

15. Communion by persons who aid the minister. The persons who aid the officiating minister, whether elders or deacons, should receive the elements from the minister after other communicants have been served.

16. Communion by minister. "The minister himself is to communicate, at such time as may appear to him most convenient." (D. W., Ch. IX, § 5.) Ordinarily, the minister partakes of the elements, immediately before they are passed to the congregation.

17. Persons who are to partake. The officiating minister is authorized to invite such persons as, "sensible of their lost and helpless state of sin, depend upon the atonement of Christ for pardon and acceptance with God; . . . and such as desire to renounce their sins, and are determined to lead a holy life." (D. W., Ch. IX, § 4.)

18. Sessions may exclude the ignorant as well as the scandalous. "Such as are found to be ignorant or scandalous, notwithstanding their profession of faith, and desire to come to the Lord's Supper, may and ought to be kept from that Sacrament by the power which Christ hath left in his Church, until they receive instruction, and manifest their reformation." (L. C., Q. 173.) The officiating minister is required "to warn the profane, the ignorant, and scandalous, and those that secretly indulge themselves in any known sin, not to approach the holy table." (D. W., Ch. IX, § 4.)

19. Mode of administration. "The table, on which the elements are placed, being decently covered, the bread in convenient dishes, and the wine in cups, and the communicants orderly and gravely sitting around the table (or in their seats before it), in the presence of the minister; let him set the elements apart, by prayer and thanksgiving." Then "the minister is to take the bread, and break it, in the view of the people," and proceed with the distribution. "After having given the bread, he shall take the cup, and" using the customary words of institution shall give it also to the people. It is customary to follow with a brief exhortation, and "then the minister is to pray and give thanks to God." (D. W., Ch. IX, § 5.)

20. Collection for the poor. "The collection for the poor, and to defray the expense of the elements, may be made after this; or at such other time as may seem meet to the eldership." (D. W., Ch. IX, § 5.)

21. Private administration not permitted. "Private masses, or receiving this Sacrament by a priest, or any other, alone; . . . are all contrary to the nature of this Sacrament, and to the institution of Christ." (C. F., Ch. XXIX, § 4.)

22. In case of sickness. "The Standards of our Church are clear in their teaching that the Lord's Supper is not to be received by anyone alone, yet, in cases of protracted sickness or approaching death, when the desire

is very strongly urged by a member of the Church, to enjoy the administration of the Lord's Supper, a pastor, having duly admonished the applicant that such ordinance, however a source of spiritual comfort, is not, in such cases, an imperative duty, or indispensable to salvation, may, with a member of his Session, and such communicants as may appropriately be permitted to partake in such solemnity, proceed to administer this Sacrament—a minute of every such act to be entered on the records of Session." (Minutes G. A., O. S., 1863, p. 37.)

XVI. CHILDREN OF BELIEVERS.

1. Church Membership.

1. Church includes children. "A particular church consists of a number of professing Christians, with their offspring." (F. G., Ch. II, § 4.) Children are likewise included in the Church by the words, "together with their children," found in the definitions given of the Church universal, both in the Confession of Faith and the Form of Government. It cannot be too frequently emphasized that "all children born within the pale of the visible Church are members of the Church." (B. D., Ch. I, § 6.)

2. Baptism of Children.

1. Children as members entitled to baptism. "All children born within the pale of the visible Church are members of the Church, are to be baptized, are under the care of the Church, and subject to its government and discipline." (B. D., Ch. I. § 6.) "Not only those that do actually profess faith in, and obedience unto Christ, but also the infants of one or both believing parents are to be baptized." (C. F., Ch. XXVIII, § 4.) "That the seed of the faithful have no less a right to this ordinance, under the gospel, than the seed of Abraham to circumcision, under

the Old Testament; that Christ commanded all nations to be baptized; that he blessed little children, declaring that of such is the kingdom of heaven; that children are federally holy, and therefore ought to be baptized." (D. W., Ch. VIII, § 2.)

2. Only infants of members to be baptized. "Our Confession of Faith recognizes the right to baptism of infant children only of such parents as are members of the Church." (Minutes G. A., O. S., 1843, p. 180.)

3. Baptism of infants of noncommunicants. There is a diversity in views and in practice in the Church with reference to the baptism of the children of parents who, though noncommunicants, were yet themselves baptized in infancy. In connection with this question all ministers have been exhorted "to take due care" that all persons who "offer to dedicate their children to God" in baptism "are persons of a regular life, and have suitable acquaintance with the principles of the Christian religion.' (Minutes General Synod, 1735, p. 115.) Further, the Assembly having been asked to give some precise direction and definition of the character "of the visible and credible profession of Christianity" necessary in parents bringing their children to baptism, "judged it unnecessary, and perhaps impracticable, to deliver rules more explicit than those contained in the Standards of our Church, but should cases of difficulty arise, they must be decided respectively, according to their own merits, before the proper judicatories." (Minutes G. A., 1794, p. 91.) While a diversity in practice exists, the language of the Larger Catechism does appear to confine infant baptism to the children of communicants. It reads, "Infants descending from parents, either both or but one of them professing faith in Christ, and obedience to him, are in that respect within the covenant, and are to be baptized." (L. C., Q. 166.)

4. Presentation of the child. "After previous notice is given to the minister, the child to be baptized is to be

presented, by one or both parents, signifying their desire that the child may be baptized." (D. W., Ch. VIII, § 2.)

5. Time and place. "It is usually to be administered in the church, in the presence of the congregation; and it is convenient that it be performed immediately after sermon." (D. W., Ch. VIII, § 1.) The recommendation of the Directory as to the time is not usually followed. Infants are baptized in some churches at the preparatory service before communion, when held on Saturday afternoon; in other churches before the sermon at the morning service, on either the Sabbath preceding or following the administration of the Lord's Supper; and in still other churches immediately before communion. The important thing in this connection is, that the Session shall adopt a rule determining both time and place for the public baptism of infants. No rule made by the Session can interfere with the right of the minister to baptize infants in private houses. See next section.

6. Baptism in private. Although it is proper that baptism be administered in the presence of the congregation, yet there may be cases when it will be expedient to administer this ordinance in private houses; of which the minister is to be the judge. (D. W., Ch. VIII, § 1.)

7. Form of baptism. After the preliminary statements respecting the nature of the ordinance, the propounding of questions to the parents, and prayer "for a blessing to attend this ordinance," the minister, "calling the child by its name, shall say, 'I baptize thee, in the name of the Father, and of the Son, and of the Holy Ghost.' As he pronounces these words, he is to baptize the child with water, by pouring or sprinkling it on the head of the child, without adding any other ceremony."(D.W., Ch. VIII, §2.)

8. Time when infancy ceases not determined. "The precise time of life when the state of infancy ceases, is not determined in the Word of God, nor by the Standards of our Church, and, from the nature of the case, is incapable of being regulated by any uniform rule, but should

be left to the judgment of ministers and Sessions, to be determined according to the particular circumstances of each case. The Assembly, therefore, deem it inexpedient to attempt to fix the precise time at which children ought to be considered too old to be baptized on the faith of their parents." (Minutes G. A., 1822, p. 25.)

9. Children of parents received on profession. When parents received on confession of faith in Christ into membership have children under the age of discretion, it is proper to baptize such children on their parents' faith. This is involved in the closing sentence of the preceding section.

3. Obligations of Children.

1. Duties as Church members. When baptized children "have arrived at years of discretion, they are bound to perform all the duties of Church members." (B. D., Ch. I, § 6.)

2. Coming to the Lord's Supper. When baptized children "come to years of discretion, if they be free from scandal, appear sober and steady, and to have sufficient knowledge to discern the Lord's body, they ought to be informed it is their duty and their privilege to come to the Lord's Supper." (D. W., Ch. X, § 1.)

3. General suggestion. Ministers and Sessions should impress upon the children of believers, in a proper manner, their duties and privileges as Church members. The question which confronts these children at the age of discretion is not whether they will join the Church, but whether they are ready to separate themselves from the Church.

4. Obligations of Parents.

1. Discipline of negligent parents. Sessions are "directed to exercise proper discipline where neglect exists and is persisted in," in the matter of presenting children for baptism. (Minutes G. A., 1886, p. 38.)

2. Form of engagement or vow. The Directory of Worship requires that parents "teach the child to read the Word of God, that they instruct him in the principles of our holy religion, as contained in the Scriptures of the Old and New Testaments; an excellent summary of which we have in the Confession of Faith of this Church, and in the Larger and Shorter Catechisms of the Westminster Assembly, which are to be recommended to them, as adopted by this Church, for their direction and assistance in the discharge of this important duty; that they pray with and for the child; that they set an example of piety and godliness before him, and endeavor by all the means of God's appointment to bring up their child in the nurture and admonition of the Lord." (D. W., Ch. VIII, § 2.)

3. Engagement or vow necessary. In connection with the baptism of children, besides requiring of parents that they shall dedicate their children to God in baptism, "the Directory of Public Worship requires an express engagement on" their part. (Minutes G. A., 1794, p. 89.)

4. Catechetical instruction enjoined. "The Assembly hereby most earnestly remind parents and others of the duty of catechising children and youth, and enjoin this duty upon them, as one whose performance no instruction that children receive in the Sabbath school or elsewhere, outside the family, can supersede or supply." (Minutes G. A., 1870, p. 123.)

5. Children should be trained in the faith of the Church. "We have two suggestions to make to Christian parents on this general subject. One is, that they cause their children to be brought up in the faith of their fathers. We do not mean by this that our youth should be prevented from following out their honest convictions of duty; but that they should be dissuaded from uniting with other denominations from mere caprice or childish fancies. We consider the conduct of those parents who suffer their children to abandon our own Church without any adequate reason as in a high degree reprehensible, and calculated

to inflict a serious injury both on the Church and on their divided household." (Minutes G. A., O. S., 1840, p. 310.)

5. Church Control Over Baptized Children.

1. Children subject to the Session. "Children, born within the pale of the visible Church, and dedicated to God in baptism, are under the inspection and government of the Church." (D. W., Ch. X, § 1.)

2. Significance of Sessional control. The words "inspection and government" used in the Standards respecting the children of believers, are not to be understood in a judicial but in an administrative sense. The power vested in the Session over children is in the main that of religious education. The control of a given child is the right of its parents. The parental authority has the precedence in this matter, parents being responsible, however, to the Session for the proper performance of their duties to their children.

3. Children to be instructed. The children of the Church "are to be taught to read and repeat the Catechism, the Apostles' Creed, and the Lord's Prayer. They are to be taught to pray, to abhor sin, to fear God, and to obey the Lord Jesus Christ." (D. W., Ch. X, § 1.) "This Assembly earnestly and affectionately recommend, to all the ministers and ruling elders in its connection, to teach diligently the young of their respective congregations the Assembly's Shorter Catechism." (Minutes G. A., N. S., 1849, p. 181.) "The Assembly regard Christian training at all periods of youth, and by all practicable methods, especially by parents at home, by teachers in institutions of learning, and by pastors through catechetical and Bible classes, as binding upon the Church, according to the injunction, 'Train up a child in the way he should go,' and as having a vital connection with the increase of the numbers and efficiency of the ministry, and of the stability and purity of the Church." (Minutes G. A., O. S., 1854, p. 30.) See L. C., Q. 173.

4. Diligent oversight enjoined. "Let us, as we value that covenant which makes the promise not only ours, but our children's, take a more diligent oversight of those youthful members of our Church. Too often are they left to wander unrestrained and forgotten in the paths of error and of sin. Can the Church answer to her Great Head, if this neglect of duty be not mourned over and corrected?" (Minutes G. A., 1835, p. 37.)

5. Special services to be held. It is recommended "to the pastors and Sessions of the different churches, to assemble, as often as they may deem necessary during the year, the baptized children, with their parents, to recommend said children, in prayer, to God, explain to them the nature and obligations of their baptism, and the relation which they sustain to the Church." (Minutes G. A., 1818, p. 27.) "Our Sessions and Presbyteries are enjoined to see to it that pastors carefully instruct their churches on this subject." (Minutes G. A., 1886, p. 38.)

6. Roll of baptized children. "The Assembly directs church Sessions "to keep a full and permanent roll of all baptized children, and carefully to note their public confession of Christ, their passing beyond the watch and care of the church, or their removal by death." (Minutes G. A., 1882, p. 98.)

7. Years of discretion. "The years of discretion in young Christians cannot be precisely fixed. This must be left to the prudence of the Session." The officers of the church are the judges of the qualifications of those to be admitted to sealing ordinances; and of the time when it is proper to admit young Christians to them. (D. W., Ch. X, §§ 2, 3.)

8. Forms of admission, distinction in. "The admission of persons to sealing ordinances is confided, in the Form of Government, really and exclusively to the church Session. Any forms, for publicly recognizing those who have been thus admitted to sealing ordinances, should keep in view the principle thus declared, and should give

effect to the distinction, so clearly laid down by our Standards, between admitting the children of the Church to the Lord's Table, and the unbaptized to membership in the Church." (Minutes G. A., 1872, p. 89.)

9. Church relation of baptized children when they arrive at maturity. This subject has been repeatedly before the General Assembly, and has been always indefinitely postponed. That no decision has been reached by the Assembly, leaves the question within the sphere of authority of the church Sessions. Each Session, therefore, should act from time to time upon the question, whether the baptized children under its care who have reached maturity, and who after frequent conference still decline to perform the duties of Church members, should be retained on the Sessional roll of baptized children.

10. Certificates of dismission. The names of baptized children are to be included in a parent's certificate of dismission. (B. D., Ch. XII, § 114.) "When parents with their families, are dismissed to other churches, the names of baptized children, who have neither come to years of discretion nor become communicants, should be embraced in the certificate given." (Minutes G. A., 1882, p. 98.)

XVII. CHRISTIAN EDUCATION IN THE PARTICULAR CHURCH.

The following sections include a comprehensive statement of the actions of the General Assembly relating to Christian education in the particular church. They contain also an excellent outline, for the guidance of Church officers and members, of an adequate program of Christian education for the local congregation. If more detailed information is desired concerning such a program, it may be obtained from the Board of Christian Education.

1. Constitutional provisions. "All children born within the pale of the visible Church are members of the Church, are to be baptized, are under the care of the

Church, and subject to its government and discipline." (B. D., Ch. I, § 6.) "The church Session is charged with maintaining the spiritual government of the congregation; for which purpose, they have power to . . . concert the best measures for promoting the spiritual interests of the congregation; to supervise the Sabbath school and the various societies or agencies of the congregation." (F. G., Ch. IX, § 6.)

2. General responsibility of the Session. "That it belongs emphatically to the pastors and elders of each congregation to direct and supervise the whole work of the spiritual training of the young, and that it is an important part of the functions of their office, both to encourage parents to fidelity in bringing up their children in the nurture and admonition of the Lord, and, also, to secure the coöperation of all the competent members of the Church in the religious education of all the children and youth to whom they can gain access." (Minutes G. A., N. S., 1864, p. 507.) "Our investigation of the work of religious education within the particular church convinced us that its greatest need is intelligent, interested and constant supervision. . . . In but few congregations is there any attempt at covering the whole field of religious education, as must be done, if the Church is to discharge, even in a fair degree, her duty properly to nurture the youth. This business of supervision belongs to the pastor and Session. . . . Where the Session is willing and able to give to this work the time and attention it must have, it may be well for it to attend to it rather than to entrust it to another body. But no Session should feel justified in refusing to do both, for it ought either to do the work itself or to commit it to some one else." (Minutes G. A., 1911, p. 31.)

3. Delegation of responsibility by the Session. "The responsibility for all of the educational work in a particular church is with the pastor and Session, and nothing should be done to lessen their sense of it, but

rather everything should be done to deepen it. Nevertheless, this work is of sufficient importance to justify - indeed, to require—its committal to a committee acting under their authority. . . . This committee might be called The Council of Religious Education." (Minutes G. A., 1910, p. 146.) "That particular churches are advised anew to form Councils of Religious Education, which, under the direction of the Session, shall have charge of the educational work within their bounds." (Minutes G. A., 1913, p. 251.)

4. Family religion. "That the General Assembly hereby specially directs the attention of the whole Church to this momentous subject, in the full assurance that no part of the work of the Church is more fundamental and important than that which is performed in the quietness and sanctity of homes where Christian parents are the divinely chosen and responsible guardians, examples, and teachers of their children, in the way of the Lord." (Minutes G. A., 1875, p. 504.) "That this Assembly recommend and urge that Sessions make diligent efforts to impress upon their congregations the value of the home as an educational agency, that by personal visitation, or otherwise, they endeavor to secure in the home proper religious instruction and that they lay special emphasis upon the maintenance, establishment, or restoration of the family altar as an educative and moulding influence of priceless value." (Minutes G. A., 1918, p. 152.)

5. Attendance upon church services. "That church Sessions are earnestly advised to give careful attention to young Christians in accordance with the provisions of the Directory for Worship, Chapter X, Section 1. . . . In this connection Sessions are requested to give particular attention to the attendance of the baptized children of the Church at church services." (Minutes G. A., 1915, p. 327.)

6. Catechetical instruction. "The use of the Catechism in the religious instruction of the young, and of the children under the care of the Church, is affectionately

and earnestly recommended to the Sessions, as the most effectual means, under God, of preserving the purity, peace, and unity of the Church." (Minutes G. A., 1832, p. 372.) "The General Assembly calls our pastors, Sessions, and Sunday-school superintendents to renewed faithfulness in the use of the Shorter Catechism for the instruction of our children and youth in the doctrines and duties of our religion." (Minutes G. A., 1924, p. 115.)

7. Missionary education. "That pastors and Sessions be advised as to the superior educational methods and the excellent material provided by our various Boards for the nurture of the youth in missionary work through the Sunday schools, mission study classes, Young People's Societies, and Guilds; and that they be zealous to make use of these methods and this material." (Minutes G. A., 1912, p. 88.) "That the Assembly urges all churches and Sunday schools to engage in systematic missionary education." (Minutes G. A., 1917, p. 219.) "That the General Assembly urges upon the churches the thorough study of missions, not only in the Sunday schools and Young People's Societies, but through the Church School of Missions." (Minutes G. A., 1924, p. 115.)

8. Stewardship education. The Presbyterian Church should "make the Sabbath school a training school in the methods and objects of Christian benevolence, to the end that our young people may understand and love the great Boards of our Church—not part, but all of them." (Minutes G. A., 1895, p. 88.) "That stewardship as taught by our Lord—including within its scope not only giving but also spending and saving and acquiring money and indeed the entire life—be presented with fresh and constant emphasis, calling upon everyone to make a practical acknowledgment of God's rights in all possessions by the dedication of the first fruits—a definite proportion of the net income —to be given for extending the Kingdom of heaven upon earth." (Minutes G. A., 1920, p. 248.)

9. Temperance instruction. "General Assembly most emphatically requests the Sessions of our various churches to provide for systematic Biblical instruction, in the Sabbath schools under their care, in the principles of temperance, as interpreted by our Church, and that such instruction be given at least each quarterly Sabbath—i. e., every three months." (Minutes G. A., 1891, p. 148.)

10. The Sunday school.

a. Supervision by the Session. "We would again call the attention of our Sabbath schools to the deliverances of former General Assemblies, which refer the supervision of their work, the selection of officers and teachers, the direction of the benevolence, and the general conduct of the school to the Session of the church." (Minutes G. A., 1885, p. 627.)

b. Method of selecting officers and teachers. "In all of our Sabbath schools superintendents should be chosen or appointed, subject to the approval of the Session." (Minutes G. A., 1878, p. 26.) "The selection of teachers belongs to the Session of the Church." (Minutes G. A., 1885, p. 627.) These powers of the Session may be exercised directly, or the Session may act upon recommendation, or the Session may delegate these powers.

c. Supported by the church. "Many of our schools are left by the particular churches to which they belong without any proper provision for their support. The schools are left to provide the funds for their current expenses; and the intelligent interest and affection of the children are centered in self-care. No more should parents expect their children to pay for their own bread, clothes, and schoolbooks than should the church expect them to bear the expense of their instruction in the Sabbath school." (Minutes G. A., 1895, p. 88.)

d. Statistical report. An annual report has been ordered by the General Assembly for the use of the Board of Christian Education.

e. Special days. "That the recommendations on Special Days in the Sunday schools . . . , as follows, be approved and adopted:

National Missions:
Lincoln's Birthday in February.
Children's Day in June.
Thanksgiving Day in November.

Foreign Missions:
Christmas.
Easter.

Christian Education:
Rally Day—last Sunday in September.
Vocation Day—first Sunday in May.
Interdenominational Young People's Day—last Sunday in January." (Minutes General Council, May 20, 1925, p. 7. Reaffirmed, G. A., 1930.)

f. Presbyterian helps. "We earnestly recommend the use in all our schools of our Presbyterian lesson helps and periodicals." (Minutes G. A., 1895, p. 88.) "That the Assembly calls the attention of churches and Sabbath schools to the fact that our Board provides Sabbath-school lesson helps and literature unexcelled, and recommends their use in preference to those provided by outside publishing houses." (Minutes G. A., 1916, p. 157.)

11. Young People's Work.

a. In general. "We recommend that the pastors and leaders of the Church be urged to promote and encourage all efforts toward religious education among their Young People's Societies." (Minutes G. A., 1909, p. 144.) "That in each church there be developed an educational program which shall include in its scope all the young people of the church, and which shall bring into closer coördination all young people's organizations. For the development of trained leaders and efficient workers to carry on this educational program, each church is urged to make the fullest possible use of the summer conferences and winter

institutes as conducted by the Board." (Minutes G. A., 1920, p. 133.)

b. Young People's Day. "That the General Assembly, having designated the first Sunday in February as Young People's Day, strongly recommends the observance of the day, and urges Young People's Societies to make a special contribution to the work being carried on by our denomination in their behalf." (Minutes G. A., 1916, p. 157.) In view of the fixing of the last Sunday in January as Interdenominational Young People's Day (see p. 99), that Sunday is now observed as Young People's Day in our Church.

12. Week-day religious education.

a. The Daily Vacation Bible School. "We recommend this plan of religious instruction (the Vacation Bible School) to the Church." (Minutes G. A., 1918, p. 187.) "We recommend to all our churches the Daily Vacation Bible School and urge that wherever possible such schools be organized." (Minutes G. A., 1919, p. 222.)

b. Week-day religious instruction. "That churches be urged to organize themselves with a view to the discharge of their responsibilities in the Christian nurture of the children and youth, that they study means of making the Sunday school a more effectual school of religion, particularly by training adequately qualified teachers, that they organize and maintain Daily Vacation Bible Schools and week-day schools for religious instruction, coöperating with our evangelical churches wherever advisable." (Minutes G. A., 1923, p. 133.) "That the General Assembly urges upon the Synods, Presbyteries, and churches a careful canvass of the values of the various forms of week-day religious instruction during the vacation period and during the public-school year, including the Daily Vacation Bible School, the summer Bible school, on the Lathem plan, and the denominational community type of organization for week-day and Sunday correlated religious in-

struction during the public-school year." (Minutes G. A., 1924, p. 115.)

c. Communicants' classes. "That pastors be especially urged to be faithful in conducting communicants' classes in connection with week-day schools for religious instruction where such are in existence." (Minutes G. A., 1920, p. 133.)

13. Age Group Programs. "Whereas, the Board of Christian Education with the previous sanction of the General Assembly, in conjunction with the Boards of National Missions and of Foreign Missions, has prepared a comprehensive educational plan, designated as "The Presbyterian Age Group Programs," for which the Westminister Departmental Graded Materials are the basis, which plan makes provision for all ages and all organized groups of the particular church, with the exception of the women's missionary societies, is thoroughly Scriptural in its teachings, with missionary and stewardship instruction as an integral part of its course, and is adaptable to the educational needs of each particular church:

Resolved, that the pastors, sessions, and all those responsible for the spiritual training of children, young people, and adults in our particular churches are urged by the General Assembly to give earnest and prayerful consideration, as promptly as may be, to the values of this plan, with a view to its early adoption as the educational method and materials for their Sunday Schools and other organizations or groups to which the plan may apply. (Minutes G. A., 1929, p. 71.)

14. Leadership training. "That recognizing that the greatest need in the educational activities of our Church of today is that of consecrated trained teachers of our children and youth, we call upon all pastors and Sessions to make teacher-training a part of the policy of the individual church." (Minutes G. A., 1919, p. 221.)

15. Relation of the individual church to the Board of Christian Education. With reference to The

Department of Home and Church of the Board of Christian Education, "This Department shall take over and develop the work of Christian nurture in the home and church, as now organized in the Board of Publication and Sabbath School Work. . . . The program of said work being now done by the Board of Publication and Sabbath School Work is given in the annual report of 1922, pages 9–22, to which reference is made for the full statement. It includes the work of the Sunday school in all its departments, the development of its educational efficiency through the better training of teachers, and the use of suitable literature and methods, its extension through the development of such agencies as the Daily Vacation Bible Schools and the week-day Church schools, the promotion of a correlated program of religious instruction in the home and church, emphasizing home religion and the family altar, the training of leadership in religious education and the Young People's Work. To plan for and extend this work is the function of this Department." (Minutes G. A., 1923, pp. 136, 137.) Inquiries about programs may be addressed to the Board of Christian Education, Witherspoon Building, Philadelphia, Pa.

16. Co-operation with the International Council of Religious Education. "The Assembly approves the coöperation of the Board in the International Sunday School Council of Religious Education, and anticipates from its Committee on Education an educational leadership in the formulation of a national policy of religious education for the evangelical churches." (Minutes G. A., 1922, p. 222.)

XVIII. WORSHIP.

1. General Matters.

1. Importance of weekly worship. "The great importance of weekly assembling the people, for the public

worship of God, in order thereby to improve their knowledge; to confirm their habits of worship, and their desire of the public ordinances; to augment their reverence for the most high God; and to promote the charitable affections which unite men most firmly in society." (F. G., Ch. XXI, § 1.) For the fundamental doctrines connected with worship, see the Confession of Faith, Chapter XXI, and also this Manual, p. 45.

2. Worship under control of minister and Session. "By our Constitution the whole arrangement of a church as to worship and order is committed to the minister and Session." (Minutes G. A., O. S., 1845, p. 21.) "The General Assembly takes notice that the exclusive authority of the Session over the worship of the church, including not only the times and places of preaching the Word, but also the music and the use of the church buildings, is not sufficiently appreciated by the Church at large, and that there are frequent complaints that trustees of congregations assume power and authority, especially over music and the use of church buildings, which are not warranted by, but are in conflict with, the Constitution of the Church. The Assembly enjoins upon the churches loyal adherence to our Form of Government, providing that the authority of the Session over all matters of worship is paramount, and at the same time recommends that all such questions be treated by the Session with Christian tact and courtesy, in the spirit of love and forbearance." (Minutes G. A., 1893, p. 90; F. G., Ch. IX, § 7.)

3. The parts of public worship. "The reading of the Scriptures with godly fear; the sound preaching, and conscionable hearing of the Word, in obedience unto God, with understanding, faith, and reverence; singing of psalms with grace in the heart; as, also, the due administration and worthy receiving of the Sacraments instituted by Christ; are all parts of the ordinary religious worship of God: besides religious oaths, and vows, solemn fastings, and thanksgivings upon special occasions; which

are, in their several times and seasons, to be used in an holy and religious manner." (C. F., Ch. XXI, § 5. See, also, F. G., Ch. VII.)

4. Directory a part of the Constitution. The Directory for Worship is a part of the Constitution of the Presbyterian Church, and as such is obligatory upon both ministers and Sessions, except where its provisions are commendatory or optional in their phraseology.

5. Simplicity in worship. The simplicity of the New Testament, in respect to the worship of the house of God, is not only universally desirable, but available and practicable. It is free from burdensome expenses and distractive entanglements. "The Sessions of the churches are urged to preserve, in act and spirit, the simplicity of service indicated in the Directory for Worship." (Minutes G. A., 1874, p. 83.)

6. Ministers' duties in connection with worship. The Constitution of the Church gives to ministers positive and discretionary power in the following matters connected with the worship of the Church, viz.: (1) Public prayer (D. W., Ch. V, § 4). (2) Public reading of the Scriptures (D. W., Ch. III, § 1). (3) Public exposition and preaching (L. C., Q. 158). (4) Baptism and the Lord's Supper (C. F., Ch. XXVII, § 4). (5) Church music (D. W., Ch. IV, § 4). (6) Blessing the people. With the duties thus assigned to ministers neither the Session nor any other authority in the congregation can interfere. It is their right to conduct public worship in accordance with the discretion vested in them by the Constitution.

7. Posture in prayer. The Assembly in 1870 declared action upon posture in prayer and praise inexpedient. (Minutes, p. 28.) It is to be remembered, however, that "the posture of standing in public prayer and that of kneeling in private prayer are indicated by examples in Scripture." (Minutes G. A., O. S., 1849, p. 255; 1859, p. 38.) Further, standing in public prayer was the approved

posture in the primitive Church. Whatever the attitude, it should be characterized by reverence.

8. Responsive reading. The Assembly of 1888, in an appeal case (Minutes, p. 112), decided that this practice was not contrary to the Constitution of the Church.

9. Forms in use by the Reformed churches. Each minister is at liberty "to avail himself of the Calvinistic or other ancient devotional forms of the Reformed churches, so far as may seem to him for edification." (Minutes G. A., 1882, p. 95.)

In 1903 the General Assembly appointed "a committee who should prepare, in harmony with the Directory for Worship, a Book of Simple Forms and Services." In due time this resulted in the publishing of the "Book of Common Worship," which the Assembly has "authorized for voluntary use in the churches."

10. Apostles' Creed. "Its use in worship is not contrary to law." (Minutes G. A., 1892, p. 35.)

11. Bulletin of services. In many churches it is now the usage to issue a regular printed weekly or monthly bulletin of the church services and other meetings, for both the Sabbath and the week days. This is distributed to the members of the church under the direction of the pastor. Its advantages are two in number—that it gives relief from the reading of notices from the pulpit, and that it serves as a reminder to Church members at their homes.

2. Church Music.

1. Extent of Sessional jurisdiction. The appointment of leaders, organists, and other helpers; the choice between congregational and choir singing, and all other matters connected with the music of the church, are under the supervision and control of the Session, except where the Constitution gives authority to the minister. "The Assembly leaves to each Session the delicate and important matter of arranging and conducting the music as to them shall seem most for edification, recommending great

caution, prudence, and forbearance in regard to it." (Minutes G. A., 1884, p. 115.) See pp. 103, 316.

2. Congregational singing commended. "The whole congregation should be furnished with books, and ought to join in this part of worship. It is proper to sing without parceling out the psalm, line by line. The practice of reading the psalm, line by line, was introduced in times of ignorance, when many in the congregation could not read: therefore, it is recommended, that it be laid aside, as far as convenient." (D. W., Ch. IV, § 3.) "'The Lord delights in the praise of all his people.' This being the only part of the worship in which they distinctly and audibly unite, it is especially desirable that, as far as may be, the whole congregation shall join therein." (Minutes G. A., O. S., 1867, p. 366.)

3. Choirs and musical instruments, when to be used. "The introduction of choirs or musical instruments can be justified only as they serve this end (of inspiring and expressing devotion) and aid or accompany sacred song; and no display of artistic skill, no delicacy of vocal training, no measure of musical ability, compensates for the violation, or even neglect, of the proprieties of divine worship." (Minutes G. A., O. S., 1867, p. 366.)

4. Character of choir members. "The conduct of so important a part of divine worship should be committed only to those who respect religion, and, as far as practicable, to those who are in communion with the church." (Minutes G. A., O. S., 1867, p. 366.)

5. Music to be devotional. "Church music should be of a devotional character, especially in instrumental and vocal voluntaries. All musical performances inconsistent with the proprieties of the Sabbath and of the sanctuary, should be suppressed and excluded." (Minutes G. A., O. S., 1867, p. 365.)

6. Time of rehearsals. "Meetings for rehearsals or mere musical practice should be held during the week

rather than on the Lord's Day." (Minutes G. A., O. S., 1867, p. 366.)

7. Attitude of Session toward the choir. Sessions "are urged to cultivate a kind and fraternal spirit toward those who lead the music of the sanctuary, and to manifest an affectionate and appreciative interest in any endeavors they may make to improve the character of this service, to the end that harmony may be promoted, 'and all things be done unto edifying.'" (Minutes G. A., O. S., 1867, p. 366.)

8. Character of hymns used. "When any families or congregations in their religious worship make use of hymns containing erroneous doctrine or trivial matter, it becomes the duty of church Sessions to inquire into the matter, and act as the case may require." (Minutes G. A,, 1806, p. 360.)

9. Furnishing books. The selection and furnishing of the books of praise to be used in the public worship of God are within the power of the Session. Care should be taken, however, to ascertain the general state of feeling in the church before selecting or changing a hymnal, and the choir should be consulted.

10. The Hymnal commended. "That we heartily recommend the Hymnal to our churches, and express the earnest hope for the general adoption of this collection as the book of praise throughout our Church." (Minutes G. A., 1895, p. 90.) The Hymnal is published by the Board of Christian Education, Witherspoon Building, Philadelphia.

3. Meetings for Prayer.

1. Extent of Sessional jurisdiction. The Session possesses the right to determine how many meetings for prayer shall be held within the bounds of the congregation, and where they shall be held, and to its wisdom and discretion must largely be left the arrangement of these times and places, and such matters, as choosing the leaders and planning the topics.

4. Special Services.

1. The Lord's Day the only holy day. "There is no day under the gospel commanded to be kept holy, except the Lord's Day, which is the Christian Sabbath." (D. W., Ch. XV, § 1.)

2. Fasts and thanksgivings. The Directory for Worship empowers church Sessions to determine for particular congregations when it is proper to observe fasts or thanksgivings. (D. W., Ch. XV, § 4.)

3. National thanksgivings. "If at any time the civil power should think it proper to appoint a fast or thanksgiving, it is the duty of the ministers and people of our communion, as we live under a Christian government, to pay all due respect to the same." (D. W., Ch. XV, § 4.)

4. Missionary meetings. "The attention of pastors and church Sessions is called to the great importance of maintaining regular services, with specific reference to the spread of the gospel throughout the world. The General Assembly has recommended that, in every congregation, the first devotional meeting of each month be given up to the consideration of the work of the Lord throughout the world, and to prayer for the world's conversion." (Minutes G. A., 1879, p. 585; 1880, p. 51; 1891, p. 182.)

5. Week of prayer. "That the week beginning with the first Sabbath of January be observed by all our congregations as 'a week of prayer' for the conversion of the world." (Minutes G. A., 1859, etc.) Many churches find the week immediately preceding Easter Sunday a time especially suitable for prayer and devotional services.

6. Education and colleges. "All our churches and literary institutions are recommended to observe a day of prayer for the influence of the Holy Spirit upon our colleges and seminaries and schools, that our youth gathered therein may be converted to Christ, and more completely consecrated to his service, and that larger

numbers of our young men may be inclined to seek the work of the ministry." (Minutes G. A., 1885, p. 688.) The General Assembly has recommended the last Sunday of February as a Day of Prayer for Presbyterian Students and the first Sunday in May as Vocation Day.

7. Sabbath observance. The churches are recommended to set apart one service during the year "for the purpose of emphasizing and exalting the importance of the observance of the Sabbath Day." (Minutes G. A., 1895, p. 23.)

8. Temperance and Moral Reform. The Assembly has repeatedly recommended special services in the interest of these causes and active endeavor to promote them.

9. Evangelistic services. Special and protracted religious services have been repeatedly recommended by the General Assembly with a view to reaching and saving the unconverted. The exercises consist of prayer, praise, and preaching, and an after service is often held in which the unsaved are urged to make a decision for Christ. Personal visitation by the pastor and others is employed in addition, as a means of awakening interest in spiritual things.

10. Persons engaged. The person to whom the special services should be always entrusted is the pastor of the church. Other ministers may be invited with his consent to coöperate, but both the power and the responsibility in all matters should be vested in him. If one of the class of ministers, known as evangelists, is invited to assist in the meetings, great care should be taken to choose a person of unquestioned ability, discretion, knowledge, and soundness in the faith.

5. Women and Church Services.

1. The Session vested with discretion. "The Assembly expresses no opinion as to the Scriptural view of woman's right to speak and pray in the social prayer

meeting, but commits the whole subject to the discretion of the pastors and elders of the churches." (Minutes G. A., 1874, pp. 32, 66.) "The Assembly regards all prohibitions contained in God's Word as equally binding on the Church to-day as at any period of its history, but does not regard the passages cited as forbidding the participation of women in certain of the assemblies for worship in the church. The extent of this participation, in our judgment, should be left to the wise discretion of the pastor and elders in each particular church." (Minutes G. A., 1893, p. 114.)

6. In Vacant Churches.

1. To be held every Lord's Day. "It is recommended that every vacant congregation meet together, on the Lord's Day, at one or more places, for the purpose of prayer, singing praises, and reading the Holy Scriptures, together with the works of such approved divines, as the Presbytery within whose bounds they are may recommend, and they may be able to procure." (F. G., Ch. XXI, § 1.)

2. Elders or deacons to preside. "And that the elders or deacons be the persons who shall preside, and select the portions of Scripture, and of the other books to be read; and to see that the whole be conducted in a becoming and orderly manner." (F. G., Ch. XXI, § 1.) It is to be noticed in this provision of the Form of Government, that it is not required that either elders or deacons shall read the selections from the works of approved divines at these services. This duty they may assign to any capable Church member, whom they may deem competent. Further, deacons as well as elders may be the presiding officers.

3. Reason for Chapter XXI. The reason for the insertion in the Form of Government of Chapter XXI lies in the fact that in certain portions of the country, churches at times find it difficult to secure the services of an ordained minister. Where the services of such a minister

cannot be obtained, and then only, the elders or deacons should take charge of the services.

See, also, "Pulpit of vacant church," pp. 128, 264.

XIX. BENEVOLENT OFFERINGS.

1. General.

1. Design and purposes. Every member of the congregation should "be trained to give of his substance systematically, and as the Lord has prospered him, to promote the preaching of the gospel in all the world and to every creature, according to the command of the Lord Jesus Christ." (D. W., Ch. VI, § 1.)

2. Place and time. "The proper order, both as to the particular service of the day and the place in such service for receiving the offerings, may be left to the discretion of the minister and Session of the church."(D.W., Ch. VI, §2.)

3. Giving to be an act of worship. "The bringing of such offerings (should) be performed as a solemn act of worship." (D. W., Ch. VI, § 1.) "That it may be a separate and specific act of worship, the minister should either precede or immediately follow the same with a brief prayer, invoking the blessing of God upon it and devoting the offerings to his service." (D. W., Ch. VI, § 2.)

4. Ministers to cultivate liberality. "It is the duty of every minister to cultivate the grace of liberal giving in his congregation, that every member thereof may offer according to his ability, whether it be much or little." (D. W., Ch. VI, § 5.)

5. Ministers to furnish information. "Every minister is charged to keep his people thoroughly informed concerning the work of the Boards, and the demand that such work is making upon every member." (Minutes G. A., 1887, p. 122.)

6. Offerings ordered must be taken. In the matter of offerings ordered by a higher judicatory, such as the

General Assembly, "it is inconsistent with our Church government to be under the check or prohibition of a church Session; they indeed may give or withhold their charity, but may not prevent a minister to propose it publicly according to our appointment." (Minutes General Synod, 1755, p. 215.) Sessions should make place for all such offerings.

7. Rights of Church members. It is the unquestioned right of all members of the Church to have an opportunity afforded them to give to any benevolent or missionary cause recommended by Presbytery, Synod, or General Assembly. To refuse to afford them the exercise of this right is to encroach upon individual liberty, as well as to deny Church authority.

8. Duty of Session to increase gifts. Sessions are "urged to calculate what proportionate increase in their contributions is necessary to comply with" the recommendations of the General Assembly, "and that they endeavor earnestly to raise that sum." (Minutes G. A., 1887, p. 121.)

9. Systematic giving to be illustrated by elders. "Elders should testify, out of their own knowledge and experience, to the benefits and blessings of systematic principled giving to the Lord." (Minutes G. A., 1887, p. 121.)

2. Objects.

1. The Boards. The benevolent and missionary work of the Presbyterian Church is carried on by four organizations known as Boards, whose members are elected by the General Assembly, and for which offerings are annually recommended by the Assembly. They are the Boards of National Missions and of Foreign Missions, located at 156 Fifth avenue, New York City; the Boards of Christian Education and of Pensions, at 1319 Walnut Street, Philadelphia, Pa.

2. Support of Sabbath school. See p. 98.

3. Offerings for the poor. See p. 307.

4. Church support. See p. 218.

5. Extra-budget objects. The General Assembly has repeatedly called the attention of our churches to the importance of raising in full the amount assigned for the work of the Boards of the Church, and has urged that extra-budget objects of all sorts be given consideration only when said amount has been fully reached.

The General Assembly has also given the Sessions of our churches, under the general authority granted Sessions by our form of government over all the organizations of a particular church, supervision of the distribution of the funds of these church organizations. Also the General Assembly has urged that these local church organizations be restrained from bestowing gifts upon extra-budget objects, however worthy, until their full duty has been performed with relation to the officially recognized work of our Boards.

3. Methods.

1. Methods in general. It is difficult to suggest a method for the gathering of offerings, which shall be available and useful in all congregations. In choosing a method, a Session should take fully into consideration the circumstances of the congregation over which it is placed.

2. Some method should be adopted. The Sessions should formally adopt at the beginning of each fiscal year —that is, April 1—a scheme of benevolent and missionary offerings. This may be either by (*a*) the monthly plan of plate collections after due announcement, (*b*) the subscription-card plan, (*c*) the weekly or monthly envelope system, or (*d*) the weekly basket offerings, or some other plan, as to the Session may seem wise.

3. Systematic giving; every member plan. The injunction in connection with giving is found in the command, "Upon the first day of the week let every one of

you lay by him in store, as God hath prospered him." "The Assembly in 1917 defined systematic giving as involving 'an offering from every member of the Church for benevolences as well as for local church support, secured by an individual subscription, on a weekly basis, through an annual personal canvass of the whole congregation.' " (Digest, 1922, Vol. II, p. 695.)

4. Budget method. The method by which each Church in our denomination has assigned it, as an objective, a certain sum to be raised for and distributed among the Boards and the other recognized agencies of the Church, on the basis of a set of percentages, is as follows:

The General Council of the General Assembly, after ascertaining with the greatest care the least sums of money which the Boards and other Agencies of the Church will require for the coming fiscal year, to maintain present work and make imperatively needed advances, determines the total amount of the benevolent budget for said year. A committee known as "The Committee on Apportionment" then takes this budget total and divides it among the Synods. This Committee on Apportionment is composed of one representative from each Synod of the Church, elected by the Synod. The sum assigned each Synod is similarly divided among the Presbyteries of the Synod by a committee composed of representatives appointed by the Presbyteries of the Synod. Similarly, the amount assigned each Presbytery is divided among the churches composing it by a Presbyterial committee.

5. Proportionate giving. Proportionate giving has been defined to be "the devoting of a definite proportion of the net income to be given for the extension of the Kingdom of heaven throughout the earth." (Digest, 1922, Vol. II, p. 695.) The General Assembly recommends "that it be the unwearied effort of all elders of our churches to secure a general acceptance of the principle and adoption of the practice of proportionate giving." (Minutes

G. A., 1889, p. 68.) "We need now to advance a step and lay a holy stress upon proportion. A man who gives a cent a week where he ought to give a dollar is systematic, but he is cheating the Lord out of ninety-nine cents." (Minutes G. A., 1895, p. 82.)

6. Weekly offerings. "It is proper and very desirable that an opportunity be given for offerings . . . every Lord's Day." (D. W., Ch. VI, § 1.) "The plan of weekly worshipful offerings is urged upon the earnest practical attention of all our Sessions." (Minutes G. A., 1887, p. 121; 1888, p. 255.)

7. Individual pledges. "That the system of individual pledges, either to the general beneficence of the Church, or to the work of any special Board, be favored as superior both in principle and practice to any mode of sporadic contribution." (Minutes G. A., 1887, p. 121.)

8. Subscription card and envelope plan. Up-to-date information with regard to these and possibly other plans may be had by applying to the Boards of the Church. See page 220.

9. Designated months for the Boards. For churches that have not yet adopted the scheme of weekly offerings set forth in the Directory for Worship, Chapter VI, it is recommended that the following months be set apart for contributions to the Boards:

Board	*Month*
1. National Missions	November
2. Foreign Missions	January
3. Pensions	When convenient
4. Christian Education	October

10. Combination of offerings discouraged. "This Assembly discourages the practice of combining the offerings for pure benevolence and those for the church's current expenses in the same collection, as injurious to both causes; nothing in this is to be construed against individual liberty as set forth in Chapter VI, Section 3, of the Directory for Worship." (Minutes, 1887, p. 122.)

11. Fairs, etc., discountenanced. The Assembly has spoken disapprovingly of fairs, and suppers, and the like, as expedients for filling the Lord's treasury. (Minutes G. A., 1893, p. 122.)

12. The tithe system. While Christians in their private capacity may accept or reject the Old Testament tithing system, Sessions have no authority to impose it in any form upon Church members. Their authority in connection with benevolent offerings is simply that of recommendation.

4. Distribution.

1. Session to distribute. "The offerings received may be apportioned among the Boards of the Church and among other benevolent and Christian objects, under the supervision of the church Session, in such proportion and on such general plan as may from time to time be determined." (D. W., Ch. VI, § 3.)

2. Will of the donor controls gifts. "The specific designation by the giver of any offering to any cause or causes shall always be respected and the will of the donor carefully carried out." (D. W., Ch. VI, § 3.)

3. Diversion of gifts improper. In addition to the provision of the Constitution which requires that the will of the donor shall control designated gifts, it should be further borne in mind by Session that when collections have been gathered, after due public notice, for any specified purpose, that such publicly announced purpose decides finally the use to which the money is to be put. Only miscellaneous and undesignated gifts are under the discretionary control of the Session.

4. Treasurer. See under that head, p. 59.

5. Apportionment of benevolence funds. The apportionment by the General Assembly of the different percentages of benevolent offerings to the several Boards may be ascertained by consulting the annual Minutes of the General Assembly. These are the specified objects:

Foreign Missions,
National Missions,
Christian Education,
Pensions,
American Bible Society,
Federal Council of Churches of Christ.

5. Reports.

1. Annual statistical report. The blank form for the annual statistical report of each church to Presbytery is furnished by the stated clerk of that judicatory. It should be filled out by the Session, and should contain all the information thereon requested. The blank forms have printed upon them the directions necessary for their proper preparation. That the annual statistical report of the church may adequately report the work and benevolences of the church, the Session should give ample notice to all the organizations of the church that a detailed statement of their financial operations and gifts to all causes, for the current year, closing March 31, is to be filed with the treasurer of the Session on or immediately following said date. That these reports may be uniform and inclusive, many church Sessions provide suitable report blanks.

XX. CHURCH SOCIETIES.

This is the day of the multiplication of organizations for the performance of benevolent and missionary work in connection with the Christian churches. It is necessary in order to efficiency of operation and to the highest welfare of the congregations that the Sessions should supervise the organization and management of such societies. By so doing the Session will both act within its power and effectually promote the interests of the cause of Christ. Great tact and kindliness of spirit are indispensable to successful control. It is impracticable to enter into a

minute statement of the nature and number of these societies, but in general they are as follows:

1. Missionary and Other Societies.

1. Women's societies. In many of the churches two missionary societies composed of women are to be found, one in the interest of home missions, and the other of foreign missions. They hold regular meetings, gather funds for specific purposes, and are very useful in stimulating interest in general in the great work of missions. Usually they are in connection with the general organizations auxiliary to the two great missionary Boards, viz., National Missions and Foreign Missions. The organizations of these women's societies is recommended in every one of our churches. They have been repeatedly approved by the General Assembly.

As early as 1874 the Assembly recommended "to pastors and elders the formation, in all our churches of Women's Mission Circles, in connection with our Home and Foreign Mission Boards, that thus all the Christian women of our Church may be actually interested in the great missionary cause, to the deepening of their own piety, as well as the enlargement of our evangelistic work." (Minutes G. A., 1874, p. 80.)

2. Pastor's Aid societies. In some churches organizations of women exist whose object is to aid the minister in his pastoral work. Such societies can render most efficient service. If formed, they should have the approval of the Session, and should consist of all the ladies who are active in church affairs. Neither their officers nor their members are to be set apart formally for their work.

3. Deaconesses. "In all ages of the Church godly women have been appointed to aid the officers of the church in their labors, especially for the relief of the poor and infirm. They rendered important service in the apostolic Church, but they do not appear to have been elected by

the people or to have been ordained and installed." (Minutes G. A., 1884, p. 114.) Until recent years the Presbyterian Church had not incorporated the office of deaconess into its system of Church government; but beginning in 1915, it now recognizes three different types of service in the Church which may be rendered by women. (See under "The Deaconess," p. 309.)

4. Other societies. In addition to the societies above named, organizations of young women and of children for missionary purposes are found in many of the churches. If it is thought wise to organize the latter, they should be placed in connection with adult societies formed for the same purposes, so that there may be concert of action by all persons within the congregation, interested in similar lines of work. In some churches, organizations for men and boys have been formed, which have proved useful in stimulating interest in church work among the male members of the congregation, and in some cases have resulted in considerable additions to the communicant members. The organization of these societies is within the discretion of the Session.

5. Support of missionaries. A society, whether of women or young people, may render valuable service to the missionary Boards by itself supporting, or uniting with other societies in the support of, a home or foreign missionary. Inquiry as to some special object of missionary effort and benevolence for a society, may be addressed to the proper Board. See p. 112.

6. Officers and contributions. The various societies in the congregation should have the usual staffs of officers, and the treasurer of each should report annually to the Session the amount of the contributions received.

2. Young People's Societies.

1. General statement. These societies are not a new thing within the Presbyterian Church. In one form or

another they have existed in many of the congregations for more than a generation. As organizations they are under the control of the Sessions, and, whatever their character, their officers should be reported to and confirmed by the Session, new work should be undertaken only with the consent of the pastor or Session, and annual reports should be submitted.

2. Authority of the Church in general. "This Assembly recognizes as under the jurisdiction of the Church all young people's religious organizations of every name, which are to be found within its churches or composed of the members of its churches. The variety in the forms of these organizations cannot affect the substantial relation which they all alike sustain to the Church in her organized capacity. That relation is, in one sense at least, the relation of a child to its mother, and involves thereby mutual obligations. The Church in her courts owes it to her young people to take account of their aspirations and activities, and to provide proper media for the exercise of these; and the young people, on their part, as members of the Church, have a duty of recognizing fully her spiritual authority, implying, as it does, her right to advise with them, and to direct their movements. It is this authority which unites together all Presbyterian churches into one common body, and it must reach to all of its organizations. Such being the case, the Assembly deems it unnecessary to prescribe any specific form of organization for individual Young People's Societies, while it expects them to conform to certain acknowledged principles, both general and particular." (Minutes G. A., 1896, p. 62.)

3. General principles controlling societies. "In *general*, these societies are to be organized and to work in conformity with the historic position of the Church as expressed in her Standards and interpreted by her courts. This historic position of the Church needs to be emphasized to-day with reference to

"(*a*) The reverence due to the Word of God as the infallible rule of faith and practice. The Church cannot countenance as teachers of her young people any men in whom she could not repose confidence as teachers of her older people.

"(*b*) The honor due to the Holy Spirit in the development of the Christian life, and the emphasis to be placed, under his divine tuition, on the spiritual rather than the formal.

"(*c*) The primary authority and inclusive scope of the vows assumed by our members, when they unite with the Church.

"(*d*) The chief means for growth in grace and in the knowledge of Christ for our young people, as for our older people, are the divinely appointed ordinances of the sanctuary, including prayer, praise, and the reading and preaching of the Word and the administration of the Sacraments, under the direction of the ordained ministry.

"(*e*) The separation of the Church in its organic capacities from all political creeds and all methods of political action. Our Young People's Societies may not be utilized for the advancement of any political project, however apparently laudable. The Church inculcates upon her members the loyal discharge of their responsibilities as citizens, but, in political matters, leaves it to the individual conscience to determine as to political parties and candidates and platforms." (Minutes G. A., 1896, p. 63.)

4. Sessional authority. "The General Assembly earnestly desires to impress upon the mind and heart of the whole Church the vital importance of an intimate and loving oversight of the young people under our care; of the need of instructing them in the privileges and obligations of their covenant relations to the Church and to God; and of giving special attention to the organizations thought best for their culture and development; but the Assembly judges that the working, or forming, or managng these organizations and exerting this culture belong

especially to the churches, Sessions, and Presbyteries; and therefore that no present action by the Assembly is demanded." (Minutes G. A., 1889, p. 102.)

5. Particulars of Sessional oversight. "The *particular* relations of all our Young People's Societies to the Church are sustained, in the first instance, to the Session of a particular church, and thence, through the Session, to the Church at large. Each such society is under the immediate direction, control, and oversight of the Session of that church in which it is formed, and that oversight is not merely general, but applies to

"(*a*) The constitution of the society, which the Session must be careful to see is framed in accordance with the general principles named hereinbefore, and the received usages of the Presbyterian Church.

"(*b*) The schedule of its services, including the time of meeting, the course of topics, and the general leadership, in order that such services may form an integral part of the work and worship of the Church.

"(*c*) The election of its officers to this extent, that each society shall submit for the approval of the Session the list of those whom it has chosen, lest unsuitable persons should be placed in positions of influence.

"(*d*) The distribution of its funds, that the regular benevolent work of the Church, under the care of our Boards, be not allowed to suffer through indiscriminate contributions to miscellaneous objects which appeal to individual sympathy." (Minutes G. A., 1896, p. 63.)

6. Number of societies. "It is recommended that inasmuch as it is inexpedient to multiply agencies unnecessarily, it is the judgment of the Assembly that this matter (of Young People's work) can safely be left, for the present, to the care of the Presbyteries and Sessions." (Minutes G. A., 1894, p. 89.)

7. All forms of organization commended. "The Assembly commends the spirit and purpose manifest in the organization of Young People's Societies of Christian

Endeavor, Westminster Leagues, and other similar organizations among the youth of the Church, and urges all our ministers and elders to be watchful and diligent in furthering, directing, and using this important agency for the advancement of the work of the Master committed to our hands." (Minutes G. A., 1893, p. 127.)

8. Constitutions to recognize church relation. "The Assembly counsels the youth of its churches, who are banded, or may in the future band themselves, in such societies, formally to recognize in their constitutions their relation to the Church, and their subjection in the Lord to its constituted authorities, and also to provide in their appointment of committees for the study of the doctrines, polity, history, and present activities of the Presbyterian Church." (Minutes G. A., 1893, p. 127. See also, caption No. 5, above.)

9. Contributions. The method and objects of Young People's Societies' contributions to the Boards are "left to the judgment of the Sessions of the particular churches." (Minutes G. A., 1895, p. 79; D. W., Ch. VI, § 4.)

10. Missionary causes. The Assembly commends the special efforts made by the Board of Home Missions and the Board of Foreign Missions to bring the great causes they represent before our young people, and earnestly urges all our societies to inform themselves in regard to, and to sustain, these and other missionary agencies of our own Church. (Minutes G. A., 1893, p. 127. See also p. 119.)

XXI. INDIVIDUAL OVERSIGHT.

1. Individual oversight by elders. It is not the pastor alone who has that care of souls which constitutes individual oversight. This most important work is a part of the duty of ruling elders. (Acts 20 : 28.) The Session, the Constitution declares, "have power to inquire into the knowledge and Christian conduct of the members of the church." (F. G., Ch. IX, § 6.) Opportunity should

be given, therefore, in every church for the performance of this duty, and it should be carried forward in a systematic manner.

2. Nature of oversight. The nature of the work of individual oversight is clearly shown by its main purposes, which are the promotion of holiness, knowledge, and usefulness in the hearts and lives of Christians. Discipline, in the punitive sense of the word, is incidental rather than fundamental thereto. Elders are to engage in it not as constables but as shepherds; not as dictators, but as instructors; not as judges but as fathers. They are to endeavor by wise counsel, teaching, and guidance to produce in those who are under their charge a growing conformity to the likeness of Christ, and their work, therefore, is to be performed with tact, gentleness, and dignity. A spirit of strife, of anger, or of arbitrariness, is unbecoming in a ruling elder, and is foreign to the important duty of the care of souls.

3. Extent of oversight. Individual oversight includes all persons connected with the church, children as well as adults. The elder in charge of a district or class in the congregation is responsible to the Session for all persons therein. Especially should elders give attention to the young persons in the church. See p. 293.

4. General duties. The elder in general should make personal acquaintance with the families and individuals of the congregation, notify the pastor of cases needing special attention, give wise counsel to persons needing it, and report upon the moral and spiritual conditions to the Session at its regular meetings.

5. Members with doubts. "Great forbearance should be exercised toward those" who for any cause doubt their personal piety. "Their unfavorable judgment in regard to themselves may be dependent upon a temporary depression of mind. They should, therefore, be the subject of earnest prayer and affectionate expostulation, with the hope that they may be brought to the en-

joyment of Christian privileges." (Minutes G. A., 1878, p. 58. See B. D., Ch. VII, § 49.)

6. Discipline of members. There is no more prolific and serious cause of weakness to the Church, and of reproach to religion, than the lack of judicious discipline in the way of admonition and reproof. Fidelity and firmness in these particulars will prevent the need for more serious action. In connection with all forms of discipline, discretion is given by the Constitution to the Session "to decide when discipline is necessary, and the extent to which it shall be administered." (Minutes G. A., O. S., 1860, p. 21.) See "Offences," p. 135.

7. Members under discipline. It is necessary for Sessions to remember that two of the great ends of discipline are the restoration of offenders and the promotion of their spiritual welfare. "Members under discipline are to be treated with the utmost tenderness and Christian affection, that they may be led to see their errors and return to their duty, and that they may be restored to the fellowship of the Church." (Minutes G. A., O. S., 1859, p. 548.)

8. Baptized children. See "Children of Believers," and "Christian Education in the Particular Church."

9. Visitation of the sick and afflicted. Elders may visit the sick and afflicted of the congregation. See p. 293.

10. Licentiates and candidates. Except in the matter of licensure to preach, or of recognition as candidates for the gospel ministry, licentiates and candidates are directly responsible to the Session, the same as any other lay members of the church. If discipline is necessary, they are to be remitted by the Presbytery "to the Sessions of the churches to which they properly belong." (Minutes G. A., 1829, p. 263.)

11. Members desiring to withdraw. See "Dismissal or Withdrawal of Members," p. 74.

12. Circular letters. The Session will find it advisable at times to issue a circular letter on the state of the

congregation. Such letters are printed in some churches annually. They should be prepared by the pastor, and issued with the signatures of all the members of the Session.

XXII. STATISTICAL AND OTHER REPORTS.

1. Presbyteries and Synods.

1. General statement. Presbyteries and Synods from time to time require reports from church Sessions upon various subjects. These reports should be furnished promptly, should state clearly and fully the information desired, and should be forwarded to the person named to receive them, in time for comparison and tabulation.

2. Insertion of reports in the records. It is recommended that notice of the adoption of all reports made to the superior judicatories be inserted in the records of the Session. Copies of all reports should be kept on file, and in some cases they should be entered in full in the Minutes. This is especially true of the statistical report to Presbytery. (See this Manual, p. 61.)

2. General Assembly.

1. General statement. In addition to special reports for committees, at times ordered by the Assembly, the annual statistical report should be carefully prepared, and be presented when desired. This latter report is given a permanent form by being included in the statistical report of the Presbytery with which a given church is connected.

2. Minutes of Assembly. The statistical report of each church, as a part of the report of its Presbytery, is printed in the Minutes of General Assembly each year. A copy of these Minutes is furnished to every minister whose Presbytery has paid its apportionment to the Assembly's Fund, to the Session of every vacant church

paying its apportionment for General Assembly expenses, and to the elder commissioners who are in attendance upon the General Assembly.

3. Authority for statistical report. The directions to stated clerks of Presbyteries, as found in the annual Minutes, have been adopted by the General Assembly, and Presbyteries and church Sessions have been directed to prepare their statistical reports, so far as required for the use of the General Assembly, in conformity therewith.

4. Blank form. The form for the statistical report is furnished by the Stated Clerk of the General Assembly through the stated clerk of Presbytery. If not received by April 1, a request for it should be sent to the latter officer.

5. Directions as to filling columns. The specific directions for filling columns are given upon the blank furnished by the stated clerk of Presbytery.

6. Accuracy, etc. It is essential that the blanks should be filled out with neatness and accuracy. Errors are often charged up to the stated clerks of Presbyteries which are due to a failure on the part of the clerks of Sessions in the particulars just indicated. See, for further direction, a copy of the blank under the general head, "Forms for Sessions," p. 358.

7. Date of report. The report should contain all the items required by General Assembly for the ecclesiastical year, which ends March 31.

8. Forwarding of report. The report should be forwarded to its stated clerk on or before the date designated by Presbytery. Prompt transmission will materially aid the clerk of Presbytery in his work, and add to the value of the report.

9. Changes in statistical report. If the clerk of a Session, in preparing the statistical report, discovers an error after the forwarding of the report to the stated clerk of Presbytery, he should at once inform the latter official

of the mistake, that the proper change may be made, if possible, in the Minutes of the Assembly.

10. Failure to report. When a church Session fails to report to Presbytery, the fact is noted in the Minutes of General Assembly, by inserting the number of members reported the preceding year, with an (*) in front of the same.

XXIII. PULPIT OF VACANT CHURCH.

1. Vacant church defined. "Every congregation or church is vacant which has not a pastor duly installed." (Minutes G. A., 1895, p. 102.)

2. Charge of the pulpit. "Every Presbytery shall assign to a committee the supervision of the vacant churches within its bounds. This committee shall, in consultation with representatives of the vacant church, nominate a moderator for the Session, and arrange for the supply of the pulpit. The committee and the church shall also coöperate in seeking and securing a pastor." (F. G., Ch. XXI, § 2.)

3. Department of Vacancy and Supply. The Department of Vacancy and Supply of the Office of the General Assembly is under the supervision of the Stated Clerk.

From this department valuable information may always be obtained concerning ministers seeking charges. This department is located in the Witherspoon Building, Philadelphia.

4. Pastors elect have no authority. Pastors elect have no legal authority in particular churches until duly installed by Presbytery. For supervision of the pulpit until such installation, see caption No. 2, immediately above.

5. Pastor elect is not stated supply. The pastor elect "is not stated supply by any virtue of the call in progress; and the Presbytery may appoint supplies or give the Session power to supply the pulpit." (Minutes G. A., 1880, p. 45.)

6. Stated supply defined. "A stated supply is a minister employed by a church, with the authority of Presbytery, for a definite time or period of service." (Minutes G. A., 1895, p. 102.)

7. Stated supply discouraged. "This Assembly observes with solicitude and deep regret, the wide extent to which the practice of admitting stated supplies prevails throughout the Church, and would call the attention of our Presbyteries especially to the importance of discouraging this practice, and would recommend that our Presbyteries, as far as possible, insist upon the institution of the pastoral relation." (Minutes G. A., 1887, p. 141.)

XXIV. REPRESENTATION IN THE HIGHER JUDICATORIES.

1. Presbytery.

1. Power of appointment. The Session is empowered "to appoint delegates to the higher judicatories of the Church." (F. G., Ch. IX, § 6.)

2. Method. Delegates are usually appointed by the adoption of a resolution of appointment, passed in the customary manner. See under "Forms for Sessions," p. 355.

3. Appointment enjoined. "The Synod do recommend to the several Presbyteries to call those Sessions to account that do not send elders to attend upon the Synods and Presbyteries, and to enjoin these Sessions to call those elders to account that do not attend upon judicatories, when sent by them." (Minutes General Synod, 1753, p. 256.)

4. Congregation with a pastor. "Every congregation, which has a stated pastor, has a right to be represented by one elder." (F. G., Ch. X, § 3.)

5. Collegiate church. "Every collegiate church has a right to be represented by two or more elders, in pro-

portion to the number of its pastors." (F. G., Ch. X, § 3.) The term collegiate church is used of a church with more than one pastor.

6. Vacant church. "Every vacant congregation which is regularly organized shall be entitled to be represented by a ruling elder in Presbytery." (F. G., Ch. X, § 4.) "Every congregation without a pastor is to be regarded as a vacant congregation, and entitled to be represented by a ruling elder." (Minutes G. A., O. S., 1843, pp. 190, 196.) "Churches having stated supplies are vacant churches, and are entitled to representation in Presbytery under the provisions of Chapter X of the Form of Government, Section 5" (Minutes G. A., 1889, p. 131)—i. e., they are each entitled to send one ruling elder as a commissioner.

7. Alternates. The resolution for the appointment of a commissioner should contain the name of an alternate as well as of a principal, in order to provide for the possible absence of the latter, through sickness or other unavoidable cause. This usage is based upon the provision in Form of Government, Chapter XXII, Section 1, where Presbyteries are authorized to appoint alternate commissioners to General Assembly.

8. Term of service. "No rule is laid down in our Standards as to the particular term or time of service, of delegates appointed by church Sessions to the higher judicatories of the Church." The Assembly has left it to each Session "to prescribe the particular terms for which, or times at which, its delegates shall attend as its representatives in such judicatories." (Minutes G. A., 1878, p. 69.) Commissioners should, however, be appointed for a definite period in the case of the Presbytery, and for both the stated and adjourned meetings of the Synod.

9. Commissioner for adjourned meetings. "It is the usage to have the same elder in attendance at an ad-

journed, who sat for the Session at the regular meeting of Presbytery." (Minutes G. A., 1827, pp. 123, 124.) p. 208.

10. Elder not known, to produce certificate. "Every elder not known to the Presbytery, shall produce a certificate of his regular appointment from the church which he represents." (F. G., Ch. X, § 5.)

11. Elders retired for disability may not be chosen. "No ruling elder, who has retired from the active exercise of his office in the church to which he belongs, can be admitted as a member of a Presbytery, Synod, or General Assembly." (Minutes G. A., 1835, p. 489.) This decision can be made to apply only to elders who have retired from service on account of physical infirmity, or other permanent disqualifying cause. See the next caption.

12. Elders, capable of service, but not re-elected, may be chosen. "Elders, once ordained, shall not be divested of the office when they are not reëlected, but shall be entitled to represent that particular church in the higher judicatories, when appointed by the Session or the Presbytery." (F. G., Ch. XIII, § 8.)

13. Expenses of ministers and elders. "In order, as far as possible, to procure a respectable and full delegation to all our judicatories, it is proper that the expenses of ministers and elders in their attendance on these judicatories, be defrayed by the bodies which they respectively represent." (F. G., Ch. XXII, § 3.)

14. Reports to Session. Church Sessions should require regular reports from the ruling elders appointed by them as their representatives to Presbytery or Synod. See, also, caption No. 3, p. 129.

2. Synod.

1. Constitutional requirement. Many of the Synods are still composed of "all the bishops and an elder from each congregation." (F. G., Ch. XI, § 1.) Where this is the case Session should elect commissioners to the

Synod within whose jurisdiction their church is located. Where the Synod is a delegated body, the elders are chosen by the Presbytery. See p. 299.

2. Term of service. The term of service of the commissioner chosen should include the annual stated meeting of Synod, and also any adjourned meetings of the body.

3. Expenses, etc. For other items of information see under preceding head, "Representation in Presbytery," p. 129.

3. General Assembly.

The ruling elder commissioners to General Assembly are always chosen by the Presbyteries. See, therefore, this Manual, pp. 301–303.

XXV. JUDICIAL CASES.

1. General Constitutional Principles.

The general principles named below, should always be given due weight in the administration of justice by the Session.

1. Discipline includes both process and oversight. "Discipline is the exercise of that authority, and the application of that system of laws, which the Lord Jesus Christ has appointed in his Church: embracing the care and control, maintained by the Church, over its members, officers, and judicatories." (B. D., Ch. I, § 1.) See "Individual oversight," p. 123.

2. The ends of discipline are vindicatory and remedial. "The ends of discipline are the maintenance of the truth, the vindication of the authority and honor of Christ, the removal of offences, the promotion of the purity and edification of the Church, and the spiritual good of offenders." (B. D., Ch. I, § 2.)

3. Discipline must be exercised with discretion. "Its exercise, in such a manner as to secure its appropriate ends, requires much prudence and discretion. Judicatories, therefore, should take into consideration all the circum-

stances which may give a different character to conduct, and render it more or less offensive; and which may require different action, in similar cases, at different times, for the attainment of the same ends." (B. D.. Ch. I, § 2.) The inference is clear, from the section just quoted, that while, in some cases, none other than judicial action may be possible, yet in the majority of cases kindly admonition may avail to prevent process. That congregation is best governed where the authority of Christ is so enforced, and the laws of the Church so administered, as to avoid the necessity for judicial process. See, also, caption No. 6, p. 125. The General Assembly, further, has recommended "utmost tenderness and Christian affection" in dealing with persons holding mistaken views of duty. (Minutes G. A., O. S., 1859, p. 548.) See, also, "References," p. 175.

4. Prompt action should be had when discipline is required. "It is the opinion of the Assembly that had the improper conduct of the appellant been made a subject of discipline at an earlier period, a more happy issue might have been reached." (Minutes G. A., O. S., 1859, p. 547.) "It is the judgment of this Assembly that the Session ought immediately to have administered admonition in consequence of unchristian conduct." (Minutes G. A., 1827, p. 203.)

5. Rights of members are to be carefully observed. "It is the sacred right of every member of the Presbyterian Church to have a full and fair trial, according to the laws and methods of his Church, before condemnation." (Minutes G. A., 1885, p. 603.)

6. Careful compliance with the Book of Discipline necessary. Sessions should remember that the provisions of the Book of Discipline are always to be carefully complied with. They are law both for Church courts and Church members. Departure from them may cause a failure in the administration of justice, and cannot but produce a public impression unfavorable to the character of Church courts.

2. Powers.

The Constitutional provisions conferring judicial powers upon the Session are as follows:

1. "To these officers the keys of the kingdom of heaven are committed, by virtue whereof they have power . . . to shut that kingdom against the impenitent, both by the word and censures; and to open it unto penitent sinners, . . . by absolution from censures." (C. F., Ch. XXX, § 2.)

2. "They possess the right of requiring obedience to the laws of Christ; and of excluding the disobedient and disorderly from the privileges of the Church. To give efficiency, however, to this necessary and Scriptural authority, they possess the powers requisite for obtaining evidence and inflicting censure. They can call before them any offender against the order and government of the Church; they can require members of their own society to appear and give testimony in the cause; but the highest punishment to which their authority extends, is to exclude the contumacious and impenitent from the congregation of believers." (F. G., Ch. VIII, § 2.)

3. "The church Session . . . have power . . . to call before them offenders and witnesses, being members of their own congregation, and to introduce other witnesses where it may be necessary to bring the process to issue, and when they can be procured to attend; . . . to admonish, to rebuke, to suspend or exclude from the Sacraments, those who are found to deserve censure." (F. G., Ch. IX, § 6.)

3. Jurisdiction.

1. Persons within jurisdiction. Original jurisdiction vests in the Session over all persons other than ministers of the gospel. (B. D., Ch. IV, § 19.) This includes ruling elders, deacons, licentiates, local evangelists, and candidates for the ministry, as well as Church members. Licentiates and candidates are to be remitted by the Presbytery "to the Sessions of the churches to which they properly belong." (Minutes G. A., 1829, p. 263.) This

jurisdiction also includes both alleged offenders and witnesses. (F. G., Ch. IX, § 6.) See "Citations" and "Witnesses," pp. 146, 148.

2. Exclusiveness of jurisdiction. "The judicatory, to which a Church member . . . belongs, shall have sole jurisdiction for the trial of offences whenever or wherever committed by him." (B. D., Ch. XI, § 108.)

3. Matters within jurisdiction. "They have power to inquire into the knowledge and Christian conduct of the members of the church." (F. G., Ch. IX, § 6.) "This Assembly reminds the church Sessions that all known departures from the Word of God, in all the pleasures and duties of the private, social, and civil life of their members, are under their supervision." (Minutes G. A., 1874, p. 85.) See also, "Offences," immediately below.

4. Offences.

a. Constitutional Provisions.

1. Offences, definition. "An offence is anything, in the doctrine, principles, or practice of a Church member, officer, or judicatory, which is contrary to the Word of God; or which, if it be not in its own nature sinful, may tempt others to sin, or mar their spiritual edification." (B. D., Ch. I, § 3.) Book of Discipline, Chapter I, Section 4, interprets the expression, "contrary to the Word of God," so as to include "the regulations and practice of the Church founded thereon." This makes the Constitution an authority in the determination of the question as to what acts are offences. Further, the definition in Book of Discipline, Chapter I, Section 3, makes acts, not in their "own nature sinful," to be offences when their influence is for evil. Great care, however, should be taken in dealing with offences not *per se* sinful.

2. Limitation upon the powers of Church courts. "Nothing shall, therefore, be the object of judicial process, which cannot be proved to be contrary to the Holy

Scriptures, or to the regulations and practice of the Church founded thereon; nor anything which does not involve those evils which discipline is intended to prevent." (B. D., Ch. I, § 4.)

This section emphasizes by its wording the fact that Church courts do not possess the arbitrary power of declaring that a given act, of doubtful propriety on the part of a Christian, is an offence. "All their decisions should be founded upon the revealed will of God." (F. G., Ch. I, § 7.) It is advised that Sessions, in cases where there is a reasonable doubt as to the nature of alleged offences, memorialize the Presbytery having jurisdiction, prior to action.

3. Offences, list of Scriptural. See, for a full list of offences against the moral law, the following questions and answers in the Larger Catechism, in connection with the sins forbidden by the Ten Commandments. The numbers in parentheses are the numbers of the Commandments, the others the numbers of the Catechism questions: (1), Q. 105; (2), Q. 109; (3), Q. 113; (4), Q. 119; (5), Qs. 128, 130, 132; (6), Q. 136; (7), Q. 139; (8), Q. 142; (9), Q. 145; (10), Q. 148.

4. Aggravations of sins. The Larger Catechism, Question 151, gives the following as the reasons for regarding some sins as more heinous than others: "Sins receive their aggravations," (1) from the persons offending; (2) from the parties offended; (3) from the nature and quality of the offence; (4) from circumstances of time and place. See the question in full.

5. Elders and deacons. In addition to charges of immoral conduct, elders and deacons may be charged with schism and heresy. See that caption, p. 298.

6. Heresy. Church members may be charged with departures from the fundamental doctrines of the Christian faith, for an offence is defined to be anything in the doctrine of a Church member which is contrary to the Word of God, etc. (B. D., Ch. 1, § 3.) Church members,

however, cannot be put on trial for departures from purely denominational doctrines. See "Subscription," p. 28.

7. Cases without process. See for absenteeism, neglect of ordinances and irregular removal, pp. 79, 80, also, p. 139.

8. Contumacy. Contumacy is refusal or neglect to appear or to answer in a court. It is contempt of court. For contumacy of accused person, see Book of Discipline Chapter IV, Sections 22, 33; of elders, Book of Discipline, Chapter VI, Section 39; of witnesses, Book of Discipline, Chapter VIII, Section 68. See also under "Citations" and "Witnesses," pp. 146–148.

9. Refusal to take oath. See under "Oath," p. 151.

10. Marriage vow, violations of. See Confession of Faith, Chapter XXIV, and caption No. 3, p. 136.

b. Assembly Decisions and Deliverances.

1. General statement. The General Assembly has taken action at various times emphatically denouncing, as sins, gambling, lotteries, horse racing, betting, intemperance, knowingly renting one's property for the manufacture and sale of intoxicating drinks, unscriptural divorces, infanticide, and polygamy. It has also taken action upon certain other matters connected with discipline such as worldly amusements, card-playing, dancing, and theatergoing, all of which may be found set forth with particularity and detail in the Digest, 1922, Vol. I, pp. 455-483.

2. Convictions under the civil law. When a Church member is convicted of crime by the civil courts, notice of such conviction should be immediately taken by the Session. A committee should be appointed to report upon his case, and pending ecclesiastical trial, he may be required to refrain from approaching the Lord's Table. (B. D., Ch. IV, § 33.) If the offence has been committed at a distance, it may be necessary for the Session to suspend action until witnesses can be secured, or testimony can be

taken which will enable them to proceed with the case in an orderly manner. See Book of Discipline, Chapter IV, Section 22, and "Absent accused person," p. 167, below.

3. Nonsupport of one's own church. It is not only not consistent with regular standing in our Church, but it is "a matter of discipline, for Church members to be supporters and attendants in other churches not of our communion, while absenting themselves from and refusing to support the church to which they belong." (Minutes G. A., O. S., 1865, p. 537.)

4. Ordinances, neglect of. See "Cases without process," caption 3, p. 79. In connection with such neglect, the Assembly has adjudged it to be, when willful, "a high offence." (Minutes G. A., O. S., 1859, pp. 546, 547.)

5. Rebaptism by immersion. "The action is clearly disorderly and in violation of Chap. XXVIII, Section 7, of the Confession of Faith. But as it concerns the mode, rather than the substance, of a Sacrament, whether the act is to be regarded as disciplinable must be determined by the Session, in the light of the circumstances attending each particular case." (Minutes G. A., 1890, p. 46.)

6. Sabbath observance. "The Assembly do hereby in a special manner enjoin it upon the church Session to watch over their brethren with tenderness and great fidelity in respect to the observance of the Sabbath, and to exercise wholesome discipline on those who, by traveling or other ways, presume to trample upon this sacred institution." (Minutes G. A., N. S., 1853, p. 323.)

"We entreat our members and all other persons conscientiously to discountenance whatever tends to break down the distinction between this and other days; as, for instance, Sunday trading; buying, reading or in any way supporting Sunday secular newspapers; social entertainments and visitations that dissipate serious thought, and all self-indulgence on the Lord's Day, that tends to unfit them for God's worship and to impoverish their spiritual nature." (Minutes G. A., 1896, p. 25.)

5. Judicial Cases Without Process.

1. General statement. Church judicatories are not required in dealing with certain offences to follow the full detail of process. In the cases of (1) mistaken views, (2) absenteeism, (3) neglect of ordinances, and (4) uniting with another denomination without regular dismission, process is not required. See this Manual, pp. 79, 80. In cases of (1) voluntary confession and (2) offences in presence of the judicatory, the detail of ordinary process is dispensed with by the Book of Discipline, except as noted below.

2. Process, definition. The orderly succession of legal proceedings, in accordance with the detail of those principles and rules which have been established by the Church for the conduct of a judicial case. Cases without process, therefore, are of the nature of exceptions to the rule.

3. Confession, voluntary. "If a person commits an offence in the presence of a judicatory, or comes forward as his own accuser and makes known his offence, the judicatory may proceed to judgment without process, giving the offender an opportunity to be heard; and in the case first named, he may demand a delay of at least two days before judgment." (B. D., Ch. VII, § 48.) The provision empowering the judicatory to proceed to judgment on self-accused persons, immediately after confession, it should be noted, is not mandatory, but a reasonable delay may be allowed if circumstances make it proper.

4. Confession, duty of. "He that scandalizeth his brother, or the Church of Christ, ought to be willing, by a private or public confession and sorrow for his sin, to declare his repentance to those that are offended; who are thereupon to be reconciled to him, and in love to receive him." (C. F., Ch. XV, § 6.)

5. Confession, when voluntary. A confession is voluntary when not caused by threats or improper in-

ducements, and it is the rule in civil courts to hold a confession voluntary that has been "caused by the exhortations of a person in authority, to make it as a matter of religious duty." A pastor or ruling elder, very properly, may endeavor to persuade an accused person to make confession, during the inquiry which precedes trial.

6. Confession, effect of voluntary. A confession of sin voluntarily made, prior to the commencement of process, makes service and other detail of process unnecessary. But a plea of guilty after process has been commenced, is not acknowledgment of guilt by one who "comes forward as his own accuser and makes known his offence." (B. D., Ch. VII, § 48.)

7. Offences in presence of the judicatory. See Book of Discipline, Chapter VII, Section 48, quoted above under "Confession," caption No. 3, and note that a delay of at least two days is required before the Session can proceed to judgment in these cases.

8. Procedure in above cases. In the two cases above given, inasmuch as the accused are to be heard, and judgment entered, and appeal allowed, the judicatory should sit as a court, with due announcement of the fact by the moderator.

9. Record in above cases. "The record must show the nature of the offence, as well as the judgment and the reasons therefor, and appeal may be taken from the judgment as in other cases." (B. D., Ch. VII, § 48.)

6. Matters Preceding and Conditioning Process.

In all cases of discipline, where it is proposed to put an alleged offender on trial, the following matters should be carefully considered, as preliminary to process.

1. Accusations, caution as to. "Great caution ought to be exercised in receiving accusations from any person who is known to indulge a malignant spirit toward the accused, or who is not of good character, or who is himself under censure or process, or who is personally

interested in any respect in the conviction of the accused, or who is known to be litigious, rash, or highly imprudent." (B. D., Ch. II, § 14.)

2. Reconciliation, effort to secure, in private cases. "No prosecution shall be allowed in a case of alleged personal injury, where the injured party is the prosecutor, unless those means of reconciliation have been tried, which are required by our Lord, Matt. xviii 15–17: 'If thy brother shall trespass against thee, go and tell him his fault between thee and him alone: if he shall hear thee, thou hast gained thy brother. But if he will not hear thee, then take with thee one or two more, that in the mouth of two or three witnesses every word may be established. And if he shall neglect to hear them, tell it unto the church.'" (B. D., Ch. II, § 9.) See, also, under "Charges," p. 143.

3. Conference with the accused. "Effort should be made, by private conference with the accused, to avoid, if possible, the necessity of actual process." (B. D., Ch. II, § 10.)

4. Confession by the accused. See "Cases Without Process," p. 139.

5. Process not to be commenced without adequate proof. "An offence, gross in itself, may have been committed in such circumstances, that plainly the offender cannot be prosecuted to conviction. In all such cases, it is better to wait until God, in his righteous providence, shall give further light, than, by unavailing prosecution, to weaken the force of discipline." (B. D., Ch. II, § 8.)

6. Prosecutor to be censured in certain cases. "Any person who appears as a prosecutor, without appointment by a judicatory, shall be warned, before the charges are presented, that, if he fail to show probable cause for the charges, he must himself be censured as a slanderer of the brethren, in proportion to the malignancy or rashness which may appear in the prosecution." (B. D., Ch. II, § 15.)

7. Time limit for prosecution. "Prosecution for an alleged offence shall commence within one year from the time of its alleged commission, or from the date when it becomes known to the judicatory which has jurisdiction thereof." (B. D., Ch. XII, § 117.)

8. Slander, action in. "If one who considers himself slandered requests an investigation which a judicatory finds it proper to institute, one or more of its members shall be appointed to investigate the alleged slander, and make report in writing: and a record thereafter made may conclude the matter." (B. D., Ch. II, § 13.)

9. Investigation to be speedy. If the Session requires an accused person to refrain from approaching the Lord's Table, then "a speedy investigation or trial shall be had." (B. D., Ch. IV, § 33.)

10. Moderator to be a minister. "It is expedient, at every meeting of the Session, more especially when constituted for judicial business, that there be a presiding minister." (F. G., Ch. IX, § 4.) In view of this provision, judicial business should not be undertaken by the Session of a vacant church, unless a minister be secured as moderator.

11. Caution to judicatory. The members of a judicatory should bear in mind the fact, that if once process be duly initiated, the provisions of the Constitution in connection with judicial cases come promptly into full operation, and that no further discretion is permitted to the judicatory except as contained in said provisions. Process must go forward under the law until the end is reached.

7. Process.

A definition of "Process" will be found on p. 139.

The matters connected with process are given for convenience of reference under the following heads:

(1) Charges and Specifications.

(2) Citations.

(3) Witnesses.
(4) Examinations.
(5) Evidence.
(6) Censures.
(7) Miscellaneous.
(8) Order or Steps in Process.
(9) Appeals.

7. (1) PROCESS.—CHARGES AND SPECIFICATIONS.

1. Charges, definition. An accusation against a person within the jurisdiction of a judicatory, made in accordance with the forms of law, of conduct contrary to the Word of God and the Constitution of the Church. See "Offences," p. 135.

2. Charge must be made by a prosecutor. "Process against an alleged offender shall not be commenced unless some person undertakes to sustain the charge; or unless a judicatory finds it necessary for the ends of discipline to investigate the alleged offence." (B. D., Ch. II, § 7.)

3. Averment by injured party. "In all cases of alleged personal injury, where the prosecution is by the injured person or persons, the charge must be accompanied by an averment that the course prescribed by our Lord, Matt. xviii. 15–17, has been faithfully tried." (B. D., Ch. III, § 18.)

4. Charge, contents of. "The charge shall set forth the alleged offence." (B. D., Ch. III, § 16.) "A charge shall not allege more than one offence." (B. D., Ch. III, § 17.) It is customary to include in the charge, in addition to the offence, passages of Scripture and extracts from the law of the Church directly connected with the offence, and evidencing it to be such. These quotations should never be included in the text of the specifications. See, for "Offences," p. 135.

5. Charge, more than one. "Several charges against the same person, however, with the specifications under

each of them, may be presented to the judicatory at one and the same time, and may, in the discretion of the judicatory, be tried together. But, when several charges are tried at the same time, a vote on each charge must be separately taken." (B. D., Ch. III, § 17.)

6. Charge, presentation. The charge or charges and specifications must be presented and read at the first judicial session of the judicatory. (B. D., Ch. IV, § 20.)

7. Charges, for accused. The requirement is mandatory, "to furnish the accused with a copy of the charge and specifications, together with the names of all the witnesses then known to support each specification," at the first judicial session. (B. D., Ch. IV, § 20.)

8. Charge, record. "The charge and specifications, . . . shall be entered on the minutes of the judicatory." (B. D., Ch. IV, § 25.)

9. Charges, sufficiency. At the meeting of the judicatory at which citations are returnable, the accused "may file objections . . . to the sufficiency of the charges . . . in form or in legal effect." (B. D., Ch. IV, § 23.) This expression, "sufficiency of the charges," applies both to the form, i. e., the details and phraseology, and to the legal effect, i. e., the conformity of substance to law. The charge may not be properly worded; or may fail to accord with the directions of Book of Discipline, Chapter III, Sections 16, 17; or may charge what is not an offence according to the Word of God and the Constitution of the Church. Care should be taken, therefore, in the preparation of a charge, to comply with all the requirements of the law, and especially should due weight be given to the question as to whether the thing charged is an offence. For instance, a charge would be insufficient in legal effect which accused a person of the offence of wine-drinking; for, while drunkenness is an offence by virtue of the provisions of the Standards, yet wine-drinking *per se* is not such. See next caption, "Amendments."

10. Charges, amendments. The judicatory may

"permit, in the furtherance of justice, amendments to . . . the charges, not changing the general nature of the same." (B. D., Ch. IV, § 23.) The extent to which this power of amendment vested in the judicatory may be exercised, is entirely at the discretion of the judicatory, as to matters of detail. Mere details are not of the general nature or substance of charges. When proposed amendments, however, deal with the substance, amendment is not permissible. For instance, the name designating an offence ought not to be changed, and an attempt to make such change would be ground for an appeal.

11. Specification, definition. An account or narrative in detail, of the facts relied upon to sustain a charge.

12. Specification, contents of. "The specifications shall set forth the facts relied upon to sustain the charge. Each specification shall declare, as far as possible, the time, place, and circumstances, and shall be accompanied with the names of the witnesses to be cited for its support." (B. D., Ch. III, § 16.)

13. Specifications, sufficiency and amendment. Specifications, as well as charges, may be insufficient both in form and in legal effect. (B. D., Ch. IV, § 23.) They may not specify with proper detail the "time, place, and circumstances" (B. D., Ch. III, § 16), they may lack the names of witnesses or of a sufficient number of witnesses (B. D., Ch. III, § 16; Ch. VIII, § 59), or they may not have any definite connection with the charge. If the charge be fully in accordance with the requirements of the Standards, and the insufficiency of the specifications consists in mere matters of detail, "amendment" of the specifications should be permitted by the judicatory. (B. D., Ch. IV, § 23.)

14. Forms. Forms for both charges and specifications will be found elsewhere in this Manual, under the general head, "Forms for Sessions," p. 374.

7. (2) Process.—Citations.

1. Authority of Session. "The church Session . . . have power to call before them offenders and witnesses, being members of their own congregation." (F. G., Ch. IX, § 6.)

2. Citation, definition. An official notice to appear and answer in a proceeding.

3. Contumacy. See "Refusal," caption No. 11, and "Witness," No. 15, below. This charge cannot be made against a person cited until after a second citation.

4. Elders. See below, "Third citation."

5. Forms. See under that head, pp. 374–376.

6. Issue and signature. Citations should be ordered by the judicatory, and must be issued and "signed in the name of the judicatory, by the moderator or clerk." (B. D., Ch. IV, § 20.)

7. Persons to be cited. The prosecutor, the accused, and the witnesses are the persons to whom citations are to be issued. (B. D., Ch. IV, § 20.)

8. Service of citations. A citation must be served by a person appointed for the purpose, usually the clerk, and must contain the name of the person upon whom service is to be had. "Citations shall be served personally, unless the person to be cited cannot be found, in which case the citation shall be sent to his last known place of residence and, before proceeding to trial, it must appear that the citations have been served." (B. D., Ch. IV, § 21.) Citations are necessary to trial, and may be served through the U. S. Post Office, if the residence of an offender is unknown.

9. Second citation for accused. "If an accused person refuses to obey a citation, a second citation shall issue, accompanied by a notice that, if he do not appear at the time appointed, unless providentially hindered, he will be censured for his contumacy, according to the subsequent provisions of the Book of Discipline." (B. D., Ch. IV, § 22.)

10. Refusal of accused to appear cannot prevent trial. "If he does not then appear, the judicatory may proceed to trial and judgment in his absence; in which case it shall appoint some person to represent him as counsel." (B. D., Ch. IV, § 22.)

11. Refusal to appear or plead subjects to suspension. "When an accused person has been twice duly cited, and refuses to appear, by himself or counsel, before a Session, or, appearing, refuses to answer the charge brought against him, he shall be suspended, by act of Session, from the communion of the church, and shall so remain until he repents of his contumacy, and submits himself to the orders of the judicatory." (B. D., Ch. V, § 34.)

12. Third citation for elders. If an elder "accused of an offence refuses to appear by himself or counsel, after being twice duly cited, he shall, for his contumacy, be suspended from his office; and, if after another citation, he refuses to appear by himself or counsel, he shall be suspended from the communion of the Church." (B. D., Ch. VI, § 39.)

13. Time allowance for accused. The time allowed for the appearance of the accused on first citation is, "not less than ten days after service of the citation." (B. D., Ch. IV, § 20.) "The time allowed for his appearance, on any citation subsequent to the first, shall be determined by the judicatory, with proper regard for all the circumstances." (B. D., Ch. IV, § 22.)

14. Time allowance for witnesses. "All witnesses cited at the request of either party," are allowed ten days after service of the first citation, and a fair allowance of time on other citations, prior to appearance before the judicatory. (B. D., Ch. IV, §§ 20, 22.)

15. Witness, contumacy of. "A member of the church, summoned as a witness, and refusing to appear, or, having appeared, refusing to testify, shall be censured

according to the circumstances of the case for his contumacy." (B. D., Ch. VIII, § 68.)

7. (3) Process.—Witnesses.

1. Power of Session. "The church Session . . . have power . . . to call before them . . . witnesses, being members of their own congregation, and to introduce other witnesses, where it may be necessary to bring the process to issue, and when they can be procured to attend." (F. G., Ch. IX, § 6.)

2. Witness, definition. A witness is one who gives testimony in a cause before a court.

3. Affirmation. In Book of Discipline, Chapter VIII, Section 62, the word affirmation is used in connection with the promise of a witness to speak the truth. No definition of an affirmation as distinct from an oath, however, is given in the Constitution, while the definition of an oath is found in the Confession, and refusal to take an oath is declared to be sin. Further, the form of the affirmation given in Book of Discipline, Chapter VIII, Section 62, explicitly requires an appeal to the Supreme Being. An affirmation in Presbyterian Church courts is, therefore, practically synonymous with an oath. See "Oaths," p. 151.

4. Citations. See pp. 146, 374.

5. Challenge. "Any witness may be challenged for incompetency, and the judicatory shall decide the question." (B. D., Ch. VIII, § 56.)

6. Competent witness. A competent witness is a person who is legally qualified to give testimony. "Not every person is competent . . . as a witness." (B. D., Ch. VIII, § 55.) "All persons, whether parties or otherwise, are competent witnesses, except [1] such as do not believe in the existence of God, or [2] a future state of rewards and punishments, or [3] have not sufficient intelligence to understand the obligation of an oath." (B. D., Ch. VIII, § 56.)

7. Contumacious witness. See under "Citations," p 147.

8. Credible witness. A credible witness is a person who, being competent to testify, is worthy of belief. "Not every . . . person is credible as a witness." (B. D., Ch. VIII, § 55.) "The credibility of a witness, or the degree of credit due to his testimony, may be affected [1] by relationship to any of the parties; [2] by interest in the result of the trial; [3] by want of proper age; [4] by weakness of understanding; [5] by infamy or malignity of character; [6] by being under church censure; [7] by general rashness or indiscretion; or, [8] by any other circumstances that appear to affect his veracity, knowledge, or interest in the case." (B. D., Ch. VIII, § 57.)

9. Evidence. See p. 153.

10. Examinations. See p. 152 and "Separate Examination," p. 153.

11. False witnesses. The procuring or suborning of false witnesses is a breach of the Ninth Commandment, and so also is the giving of false evidence. (See L. C., Qs. 143, 145.)

12. Husband and wife. "A husband or wife shall be a competent witness for or against the other, but shall not be compelled to testify." (B. D., Ch. VIII, § 58.)

13. Incompetent witness. See "Challenge," p. 148.

14. Interested witness. See "Credible witness," above.

15. Member of the judicatory. "A member of the judicatory may be called upon to testify in a case which comes before it. He shall be qualified as other witnesses are, and, after having given his testimony, may immediately resume his seat as a member of the judicatory." (B. D., Ch. VIII, § 67.) "A member of a judicatory, present when the judicatory is taking testimony, is bound, if called upon to do so, to give his testimony in the case that is in process, and his refusal to do so, on the ground that he had not been cited beforehand, would subject him

to censure for contumacy." (Minutes G. A., O. S., 1854, p. 45.)

16. Members of other churches. Members of other churches than the one under the jurisdiction of a given Session, should respond to the requests of said Session to appear before it as witnesses. If doubtful as to their duty, let them refer the request to their own Sessions for advice and counsel.

17. Ministers. It is advisable, in the interests of religion, that ministers when requested to appear before a church Session as witnesses, should so do. Presbyteries, in case of refusal, may act under Book of Discipline, Chapter VIII, Section 68.

18. Names of, for accused. "The names of all the witnesses then known to support each specification," are to be furnished to the accused at the first meeting of the judicatory. (B. D., Ch. IV, § 20.)

19. Names of, for prosecutor. "The accused shall not be required to disclose the names of his witnesses." (B. D., Ch. IV, § 20.)

20. New witnesses. After the examination and cross-examination of the witnesses already named, "new witnesses and other evidence, in rebuttal only, may be introduced by either party." (B. D., Ch. IV, § 24.)

21. Non-Church members. "Persons who are not Church members, even though heathen, in good repute, may be admitted to testify. Their credibility is to be determined by the judicatory." (Minutes G. A., 1881, p. 855.)

22. Number requisite to sustain charge. "A charge may be proven by the testimony of one witness, only when supported by other evidence; but, when there are several specifications under the same general charge, the proof of two or more of the specifications, by different credible witnesses, shall be sufficient to establish the charge." (B. D., Ch. VIII, § 59.) See also, for the Scripture rule, Matt. 18 : 16; II Cor. 13 : 1.

23. Oath, definition. "A lawful oath is a part of religious worship, wherein, upon just occasion, the person swearing, solemnly calleth God to witness what he asserteth or promiseth; and to judge him according to the truth or falsehood of what he sweareth." (C. F., Ch. XXII, § 1.)

24. Oath, use of. "The name of God only is that by which men ought to swear, and therein it is to be used with all holy fear and reverence; therefore to swear vainly or rashly by that glorious and dreadful name, or to swear at all by any other thing, is sinful and to be abhorred." (C. F., Ch. XXII, § 2.)

25. Oath, warrant. "Yet as, in matters of weight and moment, an oath is warranted by the Word of God, under the New Testament, as well as under the Old; so a lawful oath, being imposed by lawful authority, in such matters, ought to be taken." (C. F., Ch. XII, § 2.)

26. Oath, refusal to take, is sin. Yet it is sin to refuse an oath touching anything that is good and just, being imposed by lawful authority. (C. F., Ch. XXII, § 3.)

27. Oath, how to be taken. "An oath is to be taken in the plain and common sense of the words, without equivocation or mental reservation." (C. F., Ch. XXII, § 4.)

28. Oath, form. "The oath or affirmation shall be administered by the moderator in the following, or like, terms: 'You solemnly promise, in the presence of the omniscient and heart-searching God, that you will declare the truth, the whole truth, and nothing but the truth, according to the best of your knowledge, in the matter in which you are called to testify, as you shall answer to the Great Judge of quick and dead.'" (B. D., Ch. VIII, § 62.) The use of a Bible in connection with the oath, or of the uplifted hand, is not required by any provision of the Constitution. See, also, "Affirmation," p. 148. "The authority of the moderator in the Presbyterian Church to administer oaths is not derived from General Assembly, but from the Constitution." (Minutes G. A., 1823, p. 27.)

29. Parties. Parties to a case may be called upon to testify, and greater latitude may be allowed by the court in the cross-examination of parties than in that of other witnesses. "Parties . . . are competent witnesses." (B. D., Ch. VIII, § 56.)

30. Questions. See "Evidence," p. 156.

7. (4) Process.—Examinations.

1. Examination, definition. An examination is the interrogation or questioning of a witness by the parties or by members of the court, to elicit his personal knowledge as to one or more facts connected with a case.

2. Kinds and order of examinations. "Witnesses shall be examined first by the party producing them; then cross-examined by the opposite party; after which any members of the judicatory or either party may put additional interrogatories." (B. D., Ch. VIII, § 61.)

Direct examination. The first examination, in behalf of and by the party who produces the witness.

Cross-examination. This is the first examination of a witness by the party which did not produce him. "It may be used to test the intelligence, memory, impartiality, truthfulness, and integrity of the witness. A witness may not be cross-examined as to facts and circumstances unconnected with matters stated in his direct examination. If the party cross-examining wishes to question a witness as to such facts and circumstances, he must call him as a witness in the subsequent progress of the case; that is, he must make him his own witness."

Re-direct examination. Follows the cross-examination, and should be confined to matters brought out under it.

Re-cross-examination. Follows the re-direct examination, and should be restricted to the new or additional information or answers given thereunder.

3. Exceptions. See p. 171.

4. Interruptions. The examination of a witness cannot be interrupted by the party opposite to the party

conducting it, except to raise questions as to (1) competency or credibility of witnesses, (2) competency of evidence, (3) order of procedure, and (4) notice and filing of exceptions. It is the legal right of both parties, except as stated, to conduct an examination without interruption until they are through with a witness.

5. Members of the judicatory. Questions may be put to the witnesses by members of the court, after the close of the cross-examination. (B. D., Ch. VIII, § 61.)

6. Order. See "Competency of evidence," p. 154. (B. D., Ch. IV, § 28.)

7. Questions. See "Evidence," p. 156.

8. Separate examination. The examination of a witness apart from or out of the hearing of other witnesses, is called a separate examination. "No witness afterward to be examined, except a member of the judicatory, shall be present during the examination of another witness if either party object." (B. D., Ch. VIII, § 60.)

7. (5) Process.—Evidence.

1. Caution to judicatories. "Judicatories ought to be very careful and impartial in receiving testimony. Not every person is competent, and not every competent person is credible, as a witness." (B. D., Ch. VIII, § 55.) See below, "Appeal."

2. Evidence, definition. Evidence is that which demonstrates, makes clear, or ascertains the truth of the facts or points at issue. It includes all the means by which any alleged matter of fact, the truth of which is submitted to investigation, is established or disproved. Evidence differs from "Proof" and "Testimony," which see below.

3. Kinds. "Evidence may be oral, written or printed, direct or circumstantial." (B. D., Ch. VIII, § 59.)

Oral evidence. Statements made by witnesses in court in relation to matters of fact which are under inquiry in a case.

Written evidence. Documents connected with a case produced for the inspection of the judicatory.

Direct evidence. "Proof applied immediately to the fact to be proved, without any intervening process."

Circumstantial evidence. "Proof applied immediately to collateral facts, supposed to have a connection, near or remote, with the fact in controversy."

Direct or positive evidence is evidence to the precise point in issue; as, in a case of alleged drunkenness, that the accused was seen by the witness in an intoxicated condition.

Circumstantial evidence is "proof of a series of other facts than the fact in issue, which by experience have been found so associated with that fact that, in the relation of cause and effect, they lead to a satisfactory or certain conclusion; as, when footprints are discovered after a recent snow, it is certain some animated being passed over the snow since it fell, and, from the form and number of the footprints, it can be determined with equal certainty whether they are those of a man, a bird, or a quadruped. Such evidence, therefore, is founded on experience and observed facts and coincidences, establishing a connection between the known and proved facts and the facts sought to be proved."

4. Accused not required to declare what he expects to prove. "The Session had no right to insist upon Mr. ———— making known beforehand what he expected to prove by his witnesses as the condition upon which he should be allowed to proceed in the examination." (Minutes G. A., O. S., 1860, p. 45.)

5. Appeal. Among the grounds of appeal in judicial cases the following are named: "receiving improper, or declining to receive important, testimony; hastening to a decision before the testimony is fully taken." (B. D., Ch. IX, § 95.) See "Exceptions," p. 171.

6. Authentication. See "Record," p. 157.

7. Competency of evidence. "Questions as to order

or evidence, arising in the course of a trial, shall, after the parties have had an opportunity to be heard, be decided by the moderator, subject to appeal; and the question on the appeal shall be determined without debate. All such decisions, if desired by either party, shall be entered upon the record of the case." (B. D., Ch. IV, § 28.)

8. Commission to take testimony. "Any judicatory, before which a case may be pending, shall have power, whenever the necessity of parties or of witnesses shall require it, to appoint, on the application of either party, a commission of ministers, or elders, or both, to examine witnesses; which commission, if the case require it, may be of persons within the jurisdiction of another body. The commissioners so appointed shall take such testimony as may be offered by either party. The testimony shall be taken in accordance with the rules governing the judicatory, either orally or on written interrogatories and cross-interrogatories, duly settled by the judicatory, due notice having been given of the time when, and place where, the witnesses are to be examined. All questions, as to the relevancy or competency of the testimony so taken, shall be determined by the judicatory. The testimony, properly authenticated by the signatures of the commissioners, shall be transmitted, in due time, to the clerk of the judicatory before which the case is pending." (B. D., Ch. VIII, § 66.)

9. Exceptions. See p. 171.

10. Hearsay testimony. "What is heard at second-hand; testimony not a matter of personal knowledge with a witness." This is generally inadmissible, because of the depreciation of truth from passage through fallible mediums, and because it is not direct evidence (B. D., Ch. VIII, § 59), and therefore affects seriously the knowledge of the witness in the case (B. D., Ch. VIII, § 57).

11. Irrelevant questions. See "Questions," p. 157.

12. Objections. See "Competency," p. 154.

13. Parties. See "Witnesses," pp. 148–158.

14. Proof. Evidence should not be confused with proof. The latter is the larger term. "Evidence includes the reproduction, before the judicatory, of the admissions of parties and of facts relevant to the issue. Proof, in addition, includes presumptions, either of law or of fact, and legal citations. In this sense proof comprehends all the ground on which rests assent to the truth of a specific proposition. Evidence, in this view, is adduced only by the parties, through witnesses or documents; proof may be adduced by counsel in argument or by the judge in summing up a case. Evidence is but a part of the proof; it is part of the material on which proof acts."

15. Question, definition. An interrogation addressed to a witness, asking him to state his personal knowledge as to a fact.

16. Questions, manner and form. Ecclesiastical judicatories are under obligation, as "courts of Jesus Christ," to see to it that the manner and form of questions are in harmony with the spirit of the gospel.

17. Questions, incriminating. Witnesses cannot be compelled to criminate themselves, nor to answer questions imputing disgrace, unless the question is material. A person who has been convicted of an offence can be required to testify to the fact. "The credibility of a witness . . . may be affected . . . by being under Church censure." (B. D., Ch. VIII, § 57.)

18. Questions, leading. Questions which plainly suggest the answers desired, and make "clear to witnesses the answers which they are expected to make, and lead them to make such answers, are leading questions. Questions are also objectionable as leading which embody material facts, and admit of answers by simple affirmatives or negatives." Leading questions are not permitted to "the parties producing the witness, except under permission of the judicatory as necessary to elicit the truth." (B. D. Chap. VIII, § 61.) Such questions are proper in cross-

examinations—i. e., in examinations by the party opposite to the one producing the witness.

19. Questions, irrelevant and frivolous. "Irrelevant or frivolous questions shall not be admitted." (B. D., Ch. VIII, § 61.) The judicatory is the judge as to the character of any question put to a witness.

20. Questions may be reduced to writing. "Every question put to a witness shall, if required, be reduced to writing." (B. D., Ch. VIII, § 63.)

21. Record and authentication. "If either party desire it, or if the judicatory shall so decide, both question and answer shall be recorded. The testimony, thus recorded, shall be read to the witnesses, in the presence of the judicatory, for their approbation and subscription." (B. D., Ch. VIII, § 63.) See below, "Records of Session."

22. Record of the case. "The evidence in the case, duly filed and authenticated by the clerk of the judicatory," constitutes part of the record of the case. The record of the case is not the same as the "Records of Session," which see below. See also, p. 186.

23. Records of judicatories. "The records of a judicatory, or any part of them, whether original or transcribed, if regularly authenticated by the clerk, or in case of his death, absence, disability or failure from any cause, by the moderator, shall be deemed good and sufficient evidence in every other judicatory." (B. D., Ch. VIII, § 64.)

24. Records of Session. The provisions of the Book of Discipline, while giving to parties the right to have all evidence reduced to writing (B. D., Ch. VIII, § 63), do not require the evidence to be entered upon the records of the Session.

25. Rules of evidence, general. The Church in 1884–1885, by a vote of the Presbyteries, refused to include in the Book of Discipline a provision by which the general rules of evidence were made of force in ecclesiastical procedure. Church judicatories, therefore, are not bound

by the regulations in connection with evidence which are authoritative in secular courts. Ecclesiastical courts in this matter are a law unto themselves, except as rules are found specified in the Constitution or in decisions of the Assembly. If any question, therefore, arises as to evidence, which is not determined by the provisions of the Book of Discipline, while reference may be made very properly to authoritative works on evidence, yet citations therefrom have no validity as rules, except by consent of the judicatory. See Stephens' *Digest of the Law of Evidence*, American edition, by George Chase.

26. Testimony, definition. Testimony, ordinarily, is the statement made under the sanctions of an oath, by a witness, of his personal knowledge as to a fact at issue in a case. Testimony is merely a species or class of evidence. Sometimes testimony is taken in a larger sense, so as to include documents.

27. Testimony before other judicatories. "In like manner, testimony taken by one judicatory, and regularly certified, shall be received by every judicatory as no less valid than if it had been taken by themselves." (B. D., Ch. VIII, § 65.)

28. Testimony cannot be introduced injurious to parties not on trial. "The person on trial has no right to introduce testimony which inculpates his brethren who are not on trial, and who have no opportunity to defend themselves, because it was his previous duty to take proper steps, if the persons were guilty of the evils which he had alleged against them, to bring them to repentance or free the Church from the scandal." (Minutes G. A., N. S., 1852, p. 177.)

7. (6) Process.—Censures.

a. In General.

1. Censure, definition. A censure is a sentence passed by a Church judicatory upon an offender, by virtue of the authority vested in it by the Lord Jesus Christ.

2. Censure, necessity. "Church censures are necessary for the reclaiming and gaining of offending brethren; for deterring of others from like offences; for purging out of that leaven which might infect the whole lump; for vindicating the honor of Christ, and the holy profession of the gospel; and for preventing the wrath of God, which might justly fall upon the Church, if they should suffer his covenant, and the seals thereof, to be profaned by notorious and obstinate offenders." (C. F., Ch. XXX, § 3.) See, also, captions Nos. 1 to 3, p. 132.

3. Censure, purpose. "The power which Christ has given the rulers of his Church is for edification, and not destruction. When, therefore, a communicant shall have been found guilty of a fault deserving censure, the judicatory shall proceed with all tenderness, and restore the offending brother in the spirit of meekness, its members considering themselves, lest they also be tempted." (D. W., Ch. XI, § 1.)

4. Censure, kinds. "For the better attaining of these ends, the officers of the Church are to proceed by admonition, suspension from the Sacrament of the Lord's Supper for a season, and by excommunication from the Church, according to the nature of the crime, and demerit of the person." (C. F., Ch. XXX, § 4.) "The censures to be inflicted by the Session are admonition, rebuke, suspension or deposition from office, suspension from the communion of the Church, and, in case of offenders who will not be reclaimed by milder measures, excommunication." (B. D., Ch. V, § 35.)

The first two of these censures may be defined as follows: *admonition* is a gentle—*rebuke* a severe reproof, addressed in the presence of a Church court, by its moderator, to an erring Church member or officer; and administered either in consequence of confession of fault or sin, or as the result of formal trial. The phraseology of admonition and rebuke are in the discretion of the court. For definitions

and phraseology of the other censures, see under proper head.

5. Censures, judgment of court. See "Committee on judgment," p. 171.

6. Censure, manner. "Censure ought to be inflicted with great solemnity: that it may be the means of impressing the mind of the delinquent with a proper sense of his sin; and that, with the divine blessing, it may lead him to repentance." (D. W., Ch. XI, § 1.)

7. Censure, mode of inflicting. "Censures, other than suspension from church privileges or excommunication, shall be inflicted in such mode as the judicatory shall direct." (D. W., Ch. XI, § 8.) See caption No. 3, under this head, and also "Suspension," p. 161, "Deposition," p. 163, and "Excommunication," p. 163.

8. Censure, publication. "The sentence shall be published, if at all, only in the church or churches which have been offended." (B. D., Ch. V, § 36.) See, also, under "Suspension," caption No. 6, and also "Records of Sessions," p. 175.

9. Censure without trial unconstitutional. It is "the sense of this house, that no man or body of men, agreeably to the Constitution of this Church, ought to be condemned or censured without having notice of the accusation against him or them, and notice given for the trial." (Minutes G. A., 1793, p. 71.)

10. Censure to be proportionate to the offence. The Assembly has reversed the judgments of a number of judicatories on the ground that the sentences were too severe. Great care should be taken, therefore, in making the sentence proportionate to the offence. In one case the Assembly reversed the judgment of a Session on the ground "that the suspension of the parties accused was too severe in the case, and that the Session be recommended to revoke the suspension and admonish the parties." (Minutes G. A., O. S., 1865, p. 550.)

11. Censure for slander not to be inflicted unless

the case be issued. "Our Book of Discipline pronounces a man a slanderer who, on trial, fails to make good his charges. S. L. H. was censured as a slanderer without the court reaching by trial the point contemplated by our Book." (Minutes G. A., O. S., 1867, p. 355.)

12. Censures, as affected by appeals. See Book of Discipline, Chapter IX, Section 100, as quoted under "Appeals," caption No. 11, p. 183.

b. Suspension.

1. Suspension, definition. Suspension is the sentence by which a Church member or officer is restrained from the exercise and enjoyment of all church privileges and rights. Its visible signs are exclusion from the Lord's Table and from the right of suffrage.

2. Restriction upon accused persons. "A judicatory may, if the edification of the Church demands it, require an accused person to refrain from approaching the Lord's Table, or from the exercise of office, or both, until final action in the case shall be taken; *provided*, that in all cases a speedy investigation or trial shall be had." (B. D., Ch. IV, § 33.)

The power vested in the Session by Book of Discipline, Chapter IV, Section 33, is not that of suspension from communion or office. A simple resolution suffices to give it force, and it should be worded in accordance with the terms of the Book. The censure of suspension can only be inflicted in connection with formal process.

3. Suspension for contumacy. "When an accused person has been twice duly cited, and refuses to appear, by himself or counsel, before a Session, or, appearing refuses to answer the charge brought against him, he shall be suspended, by act of Session, from the communion of the Church, and shall so remain until he repents of his contumacy, and submits himself to the orders of the judicatory." (B.D., Ch. V, § 34.)

4. Suspension after trial, form of. "When the

judicatory has resolved to pass sentence, suspending a communicant from church privileges, the moderator shall pronounce the sentence in the following form:

"'Whereas you have been found guilty [*by your own confession, or by sufficient proof, as the case may be*] of the sin of [*here mention the particular offence*], we declare you suspended from the Sacrament of the Lord's Supper, till you give satisfactory evidence of repentance.'

"To this shall be added such advice, admonition, or rebuke, as may be judged necessary; and the whole shall be concluded with prayer to Almighty God, that he would follow this act of discipline with his blessing." (D. W., Ch. XI, § 2.)

5. Cases without process. When a communicant is suspended for (1) absenteeism (B. D., Ch. VII, § 50); (2) neglect of ordinances (B. D., Ch. VII, § 55); (3) personal change of views (B. D., Ch. VII, § 49); (4) or joining another denomination without a regular dismission (B. D., Ch. VII, § 53), it is to be remembered that the action of Session is substantially judicial, though the case be not conducted by due process of law. A resolution, therefore, should be adopted in such cases in the following or equivalent words: "Resolved, that A. B., having been absent from this church for two years, without taking a certificate, though requested by Session to do so, is hereby suspended from church privileges, by virtue of the power vested in Sessions, by the Constitution of the Church, under Section 50 of the Book of Discipline."

6. Suspension, how inflicted. "In general, such censure [suspension] should be inflicted in the presence of the judicatory only, but, if the judicatory think it expedient to rebuke the offender publicly, this solemn suspension may be in the presence of the church." (D. W., Ch. XI, § 2.)

7. Suspended members, jurisdiction, etc. See caption No. 13, p. 76, and caption No. 7, p. 80.

c. Deposition.

1. Deposition, definition. Deposition is the sentence by which a church officer is removed permanently from his office, until after due action is had in restoration.

2. Deposition after suspension. An elder or deacon "suspended from office may, at the expiration of one year, unless he gives satisfactory evidence of repentance, be deposed without further trial." (B. D., Ch. VI, § 41; Ch. VII, § 48.) See also, under "Excommunication," caption No. 3.

3. Deposition distinct from excommunication. "The two sentences are not essentially the same, the one having reference to office and the other to the rights of membership." (Minutes G. A., O. S., 1848, p. 34.) This distinction is to be borne in mind when sentence is to be passed upon an elder or deacon. If deserving of excommunication, a church officer should first be deposed from office.

4. Deposition, form of. The moderator of the judicatory should announce the sentence as follows: "Whereas, A. B., an officer in this church, has been guilty of [contumacy or some other fault], therefore, in the name and by the authority of the Lord Jesus Christ, I pronounce him to be deposed from the office of ruling elder [or deacon]."

d. Excommunication.

1. Excommunication, definition. Excommunication is the severest sentence known to Church discipline, by virtue of which a Church member after trial is altogether excluded from the fellowship of believers. When justly administered, it originates in and is supported by the authority of Jesus Christ. (Matt. 18 : 18; C. F., Ch. XXX, § 4; F. G., Ch. VIII, § 2; B. D., Ch. V, § 35.)

2. Excommunication must be preceded by process. "The Assembly affirm the impropriety of a Church court reaching and recording such grave results of discipline as

excommunication from the Church, without a strict adherence to those forms of fair, impartial trial by which alone the result may be justified. If an accused person confess judgment, the actual process may be shortened, but should not be dispensed with." (Minutes G. A., N. S., 1866, p. 268.)

3. When excommunication is obligatory. "When a suspended person has failed to manifest repentance for his offence, and has continued in obstinate impenitence not less than a year, it may become the duty of the judicatory to excommunicate him without further trial." (D. W., Ch. XI, § 5.)

4. Design of excommunication. "The design of excommunication is to operate upon the offender as a means of reclaiming him, to deliver the Church from the scandal of his offence, and to inspire all with fear by the example of his punishment." (D. W., Ch. XI, § 5.) See also, p. 159.

5. Excommunication, publication. "When a judgment of excommunication is to be executed, with or without previous suspension, it is proper that the sentence be publicly pronounced against the offender.

"The minister shall, therefore, at a regular meeting of the church, make a brief statement of the several steps which have been taken with respect to the offender, announcing that it has been found necessary to excommunicate him." (D. W., Ch. XI, § 6.)

6. Publication may be omitted. "But the judicatory may omit the publication of the excommunication, when it judges that there is sufficient reason for such omission." (D. W., Ch. XI, § 6.)

7. Method and sentence. "He shall begin by showing (from Matt. xviii. 15, 16, 17, 18; I Cor. v. 1, 2, 3, 4, 5) the power of the Church to cast out unworthy members, and shall briefly explain the nature, use, and consequences of the censure. Then he shall pronounce the sentence in the following or like form, viz.:

"'Whereas A. B. hath been, by sufficient proof, convicted of [*here insert the sin*], and after much admonition and prayer refuseth to hear the church, and hath manifested no evidence of repentance; therefore, in the name, and by the authority, of the Lord Jesus Christ, I pronounce him to be excluded from the communion of this Church.'

"After which, prayer shall be made for the conviction and reformation of the excommunicated person, and for the establishment of all true believers." (D. W., Ch. XI, § 6.)

e. Restoration.

(1) Membership.

1. Restoration after suspension. "When the judicatory shall be satisfied as to the reality of the repentance of any suspended member, he shall be allowed to profess his repentance, and be restored to fellowship, in the presence of the Session or of the church." (D. W., Ch. XI, § 4.)

2. Restoration, method of. When restoration after suspension becomes desirable, the judicatory should adopt an appropriate resolution at a formal judicial session, and should also decide whether the sentence of restoration should be announced in the presence of the judicatory or of the church. If the restoration be before the Session, the offender should be present, and the form given under caption No. 4, p. 166, may be used, modified to suit the circumstances. Restoration after excommunication should be conducted in part in a similar manner, but the requirements of Directory for Worship, Chapter XI, Section 7, must be carefully followed. See captions Nos. 3 and 4 below.

3. Restoration after excommunication. "When an excommunicated person shall be so affected by his state as to be brought to repentance, and desires to be readmitted to the privileges of the Church, the Session of the church which excommunicated him, having obtained,

and placed on record, sufficient evidence of his sincere repentance and deep contrition, shall proceed to restore him, recording, in explicit terms, the grounds on which such conclusion has been reached." (D. W., Ch. XI, § 7.)

4. Sentence of restoration. "The sentence of restoration shall be pronounced by the minister, at a regular meeting of the church on the Lord's Day, in the following words: 'Whereas A.B. has been excluded from the communion of the Church, but has now given satisfactory evidence of repentance; in the name of the Lord Jesus Christ, and by his authority, I declare him absolved from the sentence of excommunication formerly pronounced against him; and I do restore him to the communion of the Church, that he may be a partaker of all the benefits of the Lord Jesus, to his eternal salvation.' After which he shall be commended to God in prayer." (D. W., Ch. XI, § 7.)

5. Restoration does not require rebaptism. The excommunication of a Church member does not vitiate his baptism, and on being restored he is not to be rebaptized. (Minutes G. A., 1881, p. 586.)

(2) Office.

1. Restoration after suspension does not restore to office. The question, "When an elder has been suspended from Church privileges for an offence, and again restored to the privileges of the Church, is he also restored to his office as a ruling elder?" should be answered in the negative. The two things are distinct; and since an elder, as well as a minister, may be suspended from his office, and not from the communion of the Church, so there may be reasons for continuing his suspension from the office after he is restored to the privileges of the Church. He cannot be restored to the functions of his office without a special and express act of the Session for that purpose, with the acquiescence of the Church." (Minutes G. A., 1836, p. 263.)

2. Restoration after deposition. A ruling elder or deacon "deposed for immoral conduct shall not be restored even on the deepest sorrow for his sin, until after some considerable time of eminent and exemplary, humble and edifying conduct; and he ought in no case to be restored, until it shall clearly appear to the judicatory within whose bounds he resides, that the restoration can be effected without injury to the cause of religion; and then only by the judicatory inflicting the censure, or with its advice and consent." (B. D., Ch. VI, § 44.) The above section is given here, to emphasize the fact that the proposition to reëlect to office an elder or deacon deposed for immoral conduct, should be very carefully considered prior to action by the Session of a given church. The Session further must act which deposed him. See also above, under caption No. 1, p. 166.

3. Restoration requires reordination. The General Assembly has decided that a minister deposed from office, when restored to the ministry, should be reordained. (Minutes G. A., 1884, p. 115.) This decision requires the same course of procedure in the case of a deposed elder or deacon.

7. (7) Process.—Miscellaneous Matters.

1. Absent members may be disqualified. "No member of a judicatory who has not been present during the whole of a trial, shall be allowed to vote on any question arising therein, except by unanimous consent of the judicatory and of the parties." (B. D., Ch. IV, § 29.)

2. Absent accused person. "If an accused person refuses to obey a citation, a second citation shall issue, accompanied by a notice that, if he do not appear, . . . unless providentially hindered, he shall be censured for his contumacy. If he does not then appear, the judicatory may proceed to trial and judgment in his absence; in which case it shall appoint some person to represent him as counsel." (B. D., Ch. IV, § 22.)

3. Accused person. The provisions in connection with an accused person in the Book of Discipline, concisely stated, are as follows: Private conference (B. D., Ch. II, § 10); copy of charges (B. D., Ch. IV, § 20); aid of counsel (B. D., Ch. IV, § 27); names of witnesses of prosecution to be furnished (B. D., Ch. IV, § 20); not required to disclose his witnesses (B. D., Ch. IV, § 20); citation (B. D., Ch. IV, §§20, 21); second citation of (B. D., Ch. IV, § 22); contumacy (B. D., Ch. IV, § 22); trial in absence (B. D., Ch. IV, § 22); counsel (B. D., Ch. IV, §§ 22, 24, 27); may file objections (B. D., Ch. IV, § 23); shall plead (B. D., Ch. IV, § 23); notification of trial (B. D., Ch. IV, § 25); may be kept from communion (B. D., Ch. IV, § 33); may be kept from exercise of office (B. D., Ch. IV, § 33); censures upon (B. D., Ch. V, §§35, 36; Ch. VI, §§ 37–41); self-accusation (B. D., Ch. VII, § 48). See also under other appropriate heads in this Manual, and caption No. 2, p. 167.

4. Adjournment. Adjournments in a judicial case are required or permitted by the Book of Discipline as follows: (1) After presentation of charges (B. D., Ch. IV, § 20); (2) in absence of accused person at first meeting after service of citation (B. D., Ch. IV, § 22); (3) in connection with examination of witnesses (B. D., Ch. IV, § 24); and (4) for the daily sessions (B. D., Ch. IV, § 29). See also under this head, "Roll call," p. 176.

5. Appeal. See p. 181.

6. Appellant. See p. 182.

7. Charges. See p. 143.

8. Citations. See p. 146.

9. Committee on Inquiry. The provision is found in Book of Discipline, Chapter II, Section 10, requiring "private conference" with an accused person. Ordinarily this provision of the Constitution can be carried out best by the appointment of a committee of a judicatory for the purpose, consisting of one or more members. The name "Committee of Inquiry" is suggested for it, and the

pastor, being moderator of the judicatory, should not be a member. To this committee may further be entrusted the duty of reporting upon the case, and its report should clearly set forth fully all its features. See, also, "Judicial Committee" and "Committee of Prosecution."

10. Committee on Judgment. See p. 171.

11. Committee of Prosecution. "When the prosecution is initiated by a judicatory, it shall appoint one or more of its own members a committee to conduct the prosecution in all its stages in whatever judicatory, until the final issue be reached." (B. D., Ch. II, § 12). The "Prosecuting Committee is entitled to conduct the prosecution, in all its stages, in whatever judicatory, until the final issue be reached." (Minutes G. A., 1893, p. 104.) The Assembly of 1893 also decided judicially that a Committee of Prosecution represents the Presbyterian Church in the U. S. A., and as such is an original party. A Session, therefore, may appoint, but cannot discharge, a Committee of Prosecution, and, further, members of such a committee cannot sit as members of the Session. Where a Session is small, therefore, not more than one member should be appointed on the committee.

12. Complaint. See p. 185.

13. Contumacy. See pp. 137, 146, and 147.

14. Counsel. "Each of the parties in a judicial case shall be entitled to appear and be represented by counsel, and to be heard by oral or written argument. No person shall be eligible as counsel who is not a minister or ruling elder in the Presbyterian Church in the United States of America, and no person having acted as counsel in a judicial case shall sit as a judge therein. The counsel of the prosecutor in a judicial case where prosecution is initiated by a judicatory, shall be the prosecuting committee authorized to be appointed by Section 11 of this book, and such other persons as may be appointed under the provisions of said section to assist the prosecuting committee." (B. D., Ch. IV, § 27.)

15. Counsel, expenses of. The actual expenses incurred by counsel in connection with a case should be paid by the accused person, but fees are neither required nor expected.

16. Deacons. See "Elders," pp. 265–301.

17. Defence. See "Counsel," above.

18. Defendant. See "Accused person," p. 168.

19. Deliberation upon the case. Book of Discipline, Chapter IV, Section 24, states that the "judicatory shall go into private session" and enter upon "careful deliberation" of the case. This "deliberation" is equivalent to the consultation of judges in the civil courts after the hearing of the parties to a case. It should be conducted in an orderly manner, the moderator continuing to occupy the chair. While there is no requirement for a roll call of the members, it is advised where the judicatory is large that the roll be called for opinions. There should also be a free interchange of views between the members of the court, and after a decision has been formally reached and expressed by the final votes (B. D., Ch. IV, § 24), a committee may be appointed to formulate the judgment. See "Committee on Judgment," p. 171.

20. Dismissal of the case. "The judicatory upon the filing of . . . objections" (B. D., Ch. IV, § 23), at the meeting at which the citations are returnable, "shall or on its own motion may, determine all . . . preliminary objections and may dismiss the case." No judicial case can be dismissed, however, when the court has jurisdiction, if the proceedings have been in accordance with the provisions of the Constitution, and where an actual offence is charged against an accused person. If the only pertinent objection is one which affects the sufficiency of the charges and specifications in their form, the judicatory should permit "amendments to the specifications or charges, not changing the general nature of the same," See pp. 144, 145.

21. Dissents and protests. One or more members of a judicatory may dissent or protest against any decision

of the majority, but in judicial cases "no one shall be allowed to dissent or protest who did not vote against the decision." Protests should always be answered by the judicatory. The parties to a case cannot dissent or protest (B. D., Ch. X, § 107.) For particulars as to form, record, and answers see this Manual, p. 188.

22. Elders. See "Trial of a Ruling Elder," pp. 296–298. The statements there made apply equally to deacons and elders.

23. Evidence. See p. 153.

24. Examination of witnesses. See p. 152.

25. Exceptions. An exception is an objection to or a protest against a ruling or decision of a court, upon a question of order or evidence taken or stated at the time of the ruling. If an appeal is to be based on an exception a formal notice should follow the exception, and care should be taken to make full record of both ruling and exception. "Exceptions may be taken by either of the original parties in a trial, to any part of the proceedings, except in the judicatory of last resort, and shall be entered on the record." (B. D., Ch. IV, § 26.)

26. Interlocutory meetings. These are meetings in which "members may freely converse together, without the formalities which are usually necessary in judicial proceedings" (G. R. J., No. XXXIX). If a judicatory holds such a meeting in connection with a trial, on resuming its full judicial character, due notice of the fact should be given by the moderator. "Minutes of interlocutory meetings in judicial cases should be recorded." (Minutes G. A., O. S., 1843, p. 192.)

27. Judgment, Committee on. This committee in the great majority of cases should be appointed after the careful deliberation required of a judicatory, and the taking of the final vote (B. D., Ch. IV, § 24). It should take, as the basis for its report, the opinions expressed and the vote given by the majority of the court. The report when presented to the court may be amended.

Special attention should be paid to the phraseology of the judgment. See caption No. 19, p. 170.

28. Judgment, final, definition, etc. Such judgment as at once puts an end to the action in the sitting court, by declaring that the prosecution is or is not entitled to the remedy which is sought. See also, for kinds and effect of judgments, "Censures," p. 158, and for judgments in appeal, p. 183.

29. Judicial Committee. In all cases before a judicatory, where there is an accuser or prosecutor, it is expedient that there be a committee of the judicatory appointed [provided the number of members be sufficient to admit it without inconvenience], who shall be called the "Judicial Committee," and whose duty it shall be to digest and arrange all the papers, and to prescribe, under the direction of the judicatory, the whole order of proceedings. The members of this committee shall be entitled, notwithstanding their performance of this duty, to sit and vote in the case, as members of the judicatory. (G. R. J., No. XLI.)

30. Moderator's announcement. "Whenever a judicatory is about to sit in a judicial capacity, it shall be the duty of the moderator solemnly to announce, from the chair, that the body is about to pass to the consideration of the business assigned for trial, and to enjoin on the members to recollect and regard their high character as judges of a court of Jesus Christ, and the solemn duty in which they are about to act." (G. R. J., No. XL.) This notice should be given at the opening of every session, and also after intermissions in the course of a session.

31. Objections, nature and number. The accused "may file objections to the regularity of the organization, or to the jurisdiction of the judicatory or to the sufficiency of the charges and specifications in form or in legal effect, or any other substantial objection affecting the order or regularity of the proceeding, on which objections the

parties shall be heard." (B. D., Ch. IV, § 23.) See also, "Exceptions," p. 171.

32. Parties, names and powers. The parties at the beginning of a judicial case are known in private process as the prosecutor and the accused, and in public process as the Committee of Prosecution and the accused. When the case is appealed to a higher judicatory, the party making the appeal is known thenceforward as the appellant and the opposing party as the appellee. Both parties are entitled to citations (B. D., Ch. IV, § 20); to present and examine witnesses (B. D., Ch. IV, § 24; Ch. VIII, § 61); to take exceptions (B. D., Ch. IV, § 28); to be heard (B. D., Ch. IV, § 24); and neither can protest (B. D., Ch. X, §107), or vote (B. D., Ch. IV, § 24); and both are excluded from the private session of the judicatory (B. D., Ch. IV, § 24.) See also, "Absent person," "Accused person," "Citation," "Committee of Prosecution," "Evidence," "Exceptions," "Objections," "Prosecutor," "Record," "Withdrawal," and "Witnesses," under this head of "Miscellaneous Matters."

33. Parties, hearing of. It is the rule, when the taking of evidence and the asking of questions by members of a judicatory are concluded, to hear parties as follows: first, the prosecution, then the accused, and then the prosecution.

34. Plea. "If the proceedings be found in order, and the charges and specifications be considered sufficient to put the accused on his defence, he shall plead 'guilty,' or 'not guilty,' to the same, which shall be entered on the record. If the plea be 'guilty,' the judicatory shall proceed to judgment; but if the plea be 'not guilty,' or if the accused decline to answer, a plea of 'not guilty' shall be entered of record and the trial proceed." (B. D., Ch. IV, § 23.)

35. Private session. *Mandatory.* "The judicatory shall then go into private session—the parties, their counsel, and all other persons not members of the body,

being excluded." (B. D., Ch. IV, § 24.) *Optional.* "In all cases of judicial process, the judicatory may, at any stage of the case, determine, by a vote of two thirds, to sit with closed doors." (B. D., Ch. IV, § 32.)

36. Process, definition. See p. 139.

37. Prosecutor, private. Where the injured party, shall not be allowed to prosecute unless those means of reconciliation have been tried which are required by our Lord, Matt. 18 : 15–17. And in all other cases effort should be made by private conference with the accused to avoid, if possible, the necessity of actual process. (B. D., Ch. II, §§ 9, 10.)

38. Prosecutor, when the Session initiates process. "When the prosecution is initiated by a judicatory, THE PRESBYTERIAN CHURCH IN THE UNITED STATES OF AMERICA shall be the prosecutor, and an original party; in all other cases, the individual prosecutor shall be an original party." (B. D., Ch. II, § 11.) See "Committee of Prosecution," p. 169.

39. Questions. See under "Evidence," p. 156.

40. Record of the case. The record of a judicial case includes the following things:

(1) Charge and specifications. (B. D., Ch. IV, § 25.)
(2) Plea.
(3) Judgment.
(4) Acts and orders relating to the case, with the reasons therefor.
(5) Notice of appeal and the reasons therefor.
(6) Evidence duly filed and authenticated.
(7) Objections and exceptions by either of the original parties to any part of the proceedings (B. D., Ch. IV, § 26), including questions as to order or evidence, if desired by either party (B. D., Ch. IV, § 28.)
(8) Names of absentees from roll call after each recess and adjournment. (B. D., Ch. IV, § 29.)

The records of the Session are not the same as the "record of the case." The first are the minutes of the

judicatory, while the second is the detailed narrative of a judicial case, and includes the evidence, which latter does not need to be engrossed in the Sessional records. With this exception, all matters connected with a judicial case must be "entered on the minutes of the judicatory." (B. D., Ch. IV, § 25.)

41. Record, copies of. "The parties shall be allowed copies of the record at their own expense." (B. D., Ch. IV, § 30.)

42. Record, transmission of. See "Appeals," p. 181.

43. Records of Sessions are public documents. "The records of our Church courts are public and not private documents, and therefore no one who has been under discipline can 'demand' that anything pertaining to his case shall be 'closed to inspection or transcript.' Yet a wise Christian charity would suggest that, when the end of discipline in the restoration of an offender has been reached, no further publicity, if possible, should be given to the matter." (Minutes G. A., 1879, p. 586.) See above, caption No. 40; also Digest, 1922, Vol. I, p. 411.

44. References. "While it is more conducive to the public good that each judicatory should fulfil its duty by exercising its own judgment" (B. D., Ch. IX, § 78), it may be wise at times for a Session to refer a new, difficult, or delicate case for advice or for decision to the Presbytery. A reference is defined to be "a representation in writing, made by an inferior to a superior judicatory, of a judicial case not yet decided." (B. D., Ch. IX, § 78). Such a case, where the Session is small, would be that of the trial of a ruling elder. See, further, Book of Discipline, Chapter IX, Sections 78–82. Process, however, must be initiated before a judicial case can be referred.

45. Regularity of the organization. By this expression in Book of Discipline, Chapter IV, Section 23, is meant a question as to the proper constitution of the court assembled to try an accused person. It may not have been called to meet in a proper manner, or some other

question may arise as to orderly procedure in connection with its meeting. It is recommended that great care should be given, therefore, to the issuance of all notices for the first meetings of the court.

46. Regularity of the proceedings. By this expression in Book of Discipline, Chapter IV, Section 23, is meant the regular and orderly succession of steps, as set forth in the Book of Discipline, by which a judicial case is to be initiated and conducted. Failure to follow the Book may lead either to the dismissal of the case or to a successful appeal to the higher judicatory. See "Order or Steps in Process," p. 178.

47. Roll call after each recess and adjournment. "When a trial is in progress, except in the appellate judicatory, the roll shall be called after each recess and adjournment, and the names of the absentees shall be noted." (B. D., Ch. IV, § 29.)

48. Specifications. See under "Charges," p. 143.

49. Trial, procedure in. See "Order or Steps in Process," p. 178.

50. Trial, new, when proper. "If, after a trial before any judicatory, new evidence is discovered, supposed to be important to the exculpation of the accused, he may ask, if the case has not been appealed, and the judicatory shall grant, if justice seems to require it, a new trial." (B. D., Ch. VIII, § 69.) If the judicatory refuses to grant a new trial when important new evidence is produced, the party injured may complain to the next higher judicatory. (Minutes G. A., 1812, p. 504.) But the importance of said evidence must be established. (Minutes G. A., O. S., 1866, p. 72.) There are other decisions connected with this matter of a new trial to which inquirers are referred to the Assembly's Digest. See, also, "Appeals," p. 181.

51. Trial, speedy. If an accused person is required to refrain from approaching the Lord's Table, "a speedy . . . trial shall be had." (B. D., Ch. IV, § 33.)

52. Unfinished judicial cases. "If a church becomes extinct, the Presbytery with which it was connected shall have jurisdiction over its members, . . . It shall, also, determine any case of discipline begun by the Session and not concluded." (B. D., Ch. XI, § 112.)

53. Votes. The provisions with respect to the votes in a judicial case are as follows:

(1) When equally divided the moderator has the casting vote. (F. G., Ch. XIX, § 2.)

(2) The charges and specifications must be separately voted upon. (B. D., Ch. III, § 17; Ch. IV, § 24.)

(3) A member not present throughout a trial loses his vote, unless the judicatory and both parties consent to his voting. (B. D., Ch. IV, § 29.)

(4) Members of the judicatory who are themselves under charges may be kept from voting. (B. D., Ch. VI, § 40.)

(5) Members of the Committee of Prosecution and the accused have no vote, inasmuch as they are the original parties. See Book of Discipline, Chapter IV, Section 24, where the parties are excluded from the court.

(6) Members of the Committee of Inquiry and the Judicial Committee, if such committee be appointed, may vote. (G. R. J., No. XLI.)

(7) Members appointed as counsel for the accused may not vote. (B. D., Ch. IV, §§29, 24.)

54. Withdrawal of parties, etc., construed literally. "The Moderator having decided that the rule requiring the parties to withdraw should be understood in the obvious and literal sense, an appeal was taken from his decision, and the decision was sustained by a large majority." (Minutes G. A., O. S., 1848, p. 40.)

55. Witnesses. See p. 148.

7. (8) Judicial Cases.—Order or Steps in Process.

a. Order in a Process Initiated by an Injured Person.

1. Obedience to Christ's command (Matt. 18 : 15–17). See p. 141.

2. Appointment of Judicial Committee. See p. 172.

3. Private conference with accused. (B. D., Ch. II, § 10.) See p. 141.

4. Report of Judicial Committee. See p. 172.

5. Announcement of moderator (G. R. J., No. XL). See p. 172.

6. Presentation of charges and specifications. (B. D., Ch. IV, § 20.) See p. 143.

7. Averment or authenticated statement of effort after reconciliation. (B. D., Ch. III, § 18.) See p. 143.

8. Then the same order from No. 7 forward, as given on p. 179.

b. Order in a Process Initiated by a Private Person, Not an Injured Party.

1. Private conference with accused. (B. D., Ch. II, § 10.) See p. 141.

2. Appointment of Judicial Committee. See p. 172.

3. Report of Judicial Committee. See p. 172.

4. Announcement of moderator. (G. R. J., No. XL). See p. 172.

5. Then the same order from No. 7 forward, as given under head *c*, this page.

c. Order in a Process Initiated by a Judicatory.

Preliminary Steps.

1. Appointment of Committee of Inquiry. See p. 168.

2. Private conference by the committee. (B. D., Ch. II, § 10; Ch. III, § 18.) See p. 141.

3. Report of committee to Session.

Process.

If the result of the consideration of a case by the Session requires that an alleged offender be put on trial, the following order should be carefully followed:

4. Announcement in accordance with Rule XL, General Rules for Judicatories. See p. 172.

5. Appointment of a Committee of Prosecution. (B. D., Ch. II, § 12.) See p. 169.

6. Presentation of the charges and specifications. (B. D., Ch. III, §§ 16, 17; Ch. IV, § 20.) See p. 143.

7. Furnishing the accused or his counsel with a copy of charges, etc. (B. D., Ch. IV. § 20.) See p. 144. (At this point the question of the reference of the case to the Presbytery, if advisable, may be considered. See "References," p. 175.)

8. Order for citations to parties and the witnesses of the prosecution and accused. (B. D., Ch. IV, § 20.) See p. 146.

9. Adjournment for at least ten days, unless the parties have waived citations, etc. (B. D., Ch. IV, § 20.) See p. 168.

10. At second meeting service of citations should be first proved. (B. D., Ch. IV, § 21.) See p. 146. If the accused is absent, an adjournment for a time in the discretion of the judicatory must be had. (B. D., Ch. IV., § 22.) See p. 147.

11. Issue of second citation of accused, if necessary. See p. 146.

12. Appointment of counsel. (B. D., Ch. IV, § 22.) See p. 169.

13. Filing objections and hearing the same. (B. D., Ch. IV, § 23.) See p. 172.

14. Determination of regularity of organization and proceedings, and also of sufficiency of charges and specifications. (B. D., Ch. IV, § 23.) See pp. 143–147, and 175.

15. If the case is not dismissed, amendments to charges and specifications may now be made. (B. D., Ch. IV, § 23.) See pp. 143-145.

16. Plea of the accused. (B. D., Ch. IV, § 23.) See p. 173.

17. Plea entered on record, and if the plea be "guilty," the court proceeds to judgment; if "not guilty," the taking of evidence commences. (B. D., Ch. IV, § 23.) See p. 173.

18. Adjournment, if desired by the parties, for another meeting. (B. D., Ch. IV, § 24.) See p. 168.

19. Roll call after each recess and adjournment. (B. D., Ch. IV, § 29.) See p. 176.

20. Examination of witnesses. (B. D., Ch. IV, § 24.) See p. 152.

21. Appointment of commission, if necessary, to take testimony at a distant place. (B. D., Ch. VIII, § 66.) See p. 155.

22. Exceptions to be made promptly, and to be recorded. (B. D., Ch. IV, § 26.) See p. 171.

23. Introduction of new witnesses. (B. D., Ch. IV, § 24.) See p. 150.

24. Authentication and filing of the evidence. (B. D., Ch. IV, § 25.) See p. 157.

25. Hearing of the parties (B. D., Ch. IV, § 24), the prosecution opening and closing. See p. 173.

26. Private session, involving exclusion of parties, counsel, and all persons not members. (B. D., Ch. IV, § 24.) See p. 173.

27. Deliberation upon the case. (B. D., Ch. IV, § 24.) See p. 170.

28. Vote on the charges and specifications separately. (B. D., Ch. III, § 17; Ch. IV, § 24.) Who may vote. (B. D., Ch. IV, §§ 27, 29.) See p. 177.

29. Formulation and adoption of judgment in the case. (B. D., Ch. IV, § 25.) See p. 172, and also under "Censures," p. 158.

30. Announcement of sentence to the accused. (D. W., Ch. XI, § 2.) See pp. 160-162.

31. Exceptions to judgment. (B. D., Ch. IV, § 26.) See p. 171.

32. Notice of appeal, if any taken, to be filed, with reasons appended. (B. D.. Ch. IV, § 25; Ch. IX, § 97.) See p. 183.

33. Entrance of charges, specifications, exceptions, plea, judgment, acts and orders of the judicatory, and the appeal on the minutes of the judicatory. (B. D., Ch. IV, § 25.) See, "Record of the case," p. 174.

34. Copies of record to be permitted at expense of the parties. (B. D., Ch. IV, § 30.) See p. 175.

35. Order for transmission of records, and testimony, if necessary, to higher courts. (B. D., Ch. IV, § 30; Ch. IX, § 96.) See p. 183.

36. New trial, if granted. See p. 176.

37. Reception and entry on the record of the judgment of the higher judicatory, when the case is decided on appeal. (B. D., Ch. IV, § 30.) See p. 184.

38. New trial, if ordered by the higher judicatory. See p. 184.

7. (9) Judicial Cases.—Appeals.

1. Constitutional provisions. The general provisions with reference to appeals are found in Sections 94–102 of the Book of Discipline. Several of these provisions apply only to the conduct of an appeal case in the higher judicatories. The provisions given below are those which have direct relation to action on the part of a church Session. See "Forms for Sessions," p. 377.

2. Appeal, definition. "An appeal is the removal of a judicial case, by a written representation, from an inferior to a superior judicatory." (B. D., Ch. IX, § 94.)

3. Appeal, who may. An appeal may be taken by either of the original parties to a judicial case. "These

parties shall be called appellant and appellee." (B. D., Ch. IX, § 94.) A Session is not an original party, and its members cannot appeal, though they may complain. See "Accused person," p. 167; "Committee of Prosecution," p. 169; "Complaint," p. 185. The distinction between a judicial and nonjudicial case is given on p. 185.

4. Appellant. The party taking an appeal. See caption No. 3 above.

5. Appellee. The party opposing an appeal. See caption No. 3 above.

6. Appeal, from what taken. An appeal "may be taken from the final judgment of the lower judicatory." See "Judgment, final," p. 172.

7. Appeal, grounds of. The grounds of appeal may be such as these:

Irregularity in the proceedings of the inferior judicatory.

Refusal to entertain an appeal or complaint.

Refusal of reasonable indulgence to party on trial.

Receiving improper, or

Declining to receive, important, testimony.

Hastening to a decision before the testimony is fully taken.

Manifestation of prejudice in the conduct of the case.

And mistake or injustice in the decision. (B. D., Ch. IX, § 95.)

The words "such as these" at the opening of Section 95 imply that other grounds than those therein named may be designated in the appeal. The grounds assigned in the section are given for the guidance of the parties and as a caution to the trial judicatory.

8. Error, definition. Such irregularity, misconception, or wrong application of the law as requires that the proceedings should be reversed on appeal. See caption No. 7.

9. Notice of appeal. "Written notice of appeal, with specifications of the errors alleged, shall be given, within ten days after the judgment has been rendered, to the

clerk, or, in case of his death, absence or disability, to the moderator, of the judicatory from whose judgment the appeal is taken." (B. D., Ch. IX, § 96.)

10. Appeal, record of. "The minutes shall also exhibit . . . the notice of appeal, and the reasons therefor, if any shall have been filed." (B. D., Ch. IV, § 25.)

11. Appeal, effect of. "When the judgment directs admonition or rebuke, notice of appeal shall suspend all further proceedings; but in other cases the judgment shall be in force until the appeal is decided." (B. D., Ch. IX, § 100.) The last clause of the section just quoted has been judicially interpreted to mean that the judgment is in force in an appeal case until the case is finally decided by the highest judicatory to which it is carried. (Minutes G. A., 1896, p. 151.)

12. Transmission of the records, etc. "The clerk, or, in case of his death, absence, or disability, the moderator, of the judicatory from whose judgment the appeal is taken, shall lodge the notice of appeal, with the records and all the papers pertaining to the case, with the clerk of the superior judicatory, not later than thirty days after receipt of notice of appeal. Within thirty days of filing notice of appeal, the appellant shall lodge his appeal with clerk of the superior judicatory, and be immediately notified by said clerk when he shall appear before the judicatory appealed to, in support of the appeal." (B. D., Ch. IX, § 96, 97.)

13. Records, effect of failure to transmit. "The judicatory whose judgment is appealed from shall send up its records, and all the papers relating thereto, and filed with the record. If it fails to do this, it shall be censured; and the sentence appealed from shall be suspended, until a record is produced on which the issue can be fairly tried." (B. D., Ch. IX, § 101.)

14. Appeals, where taken. "Appeals are, generally, to be taken to the judicatory immediately superior to that appealed from." (B. D., Ch. IX, § 102.) While this section permits the passing over of the Presbytery, and

even of the Synod, in appeal cases, yet the ordinary usage in the higher courts is such as to make it advisable that all appeals from the judgments of church Sessions should be taken to the Presbytery. Neither a Synod nor the General Assembly will be likely to consent to hear an appeal made to them directly from the judgment of a Session.

15. Appeal, when in order. "When due notice of an appeal has been given, and the appeal and the specifications of the errors alleged have been filed in due time, the appeal shall be considered in order." (B. D., Ch. IX, § 99.)

16. Session cannot sit in appeal case. "Neither the appellant, nor the members of the judicatory appealed from, shall sit, deliberate, or vote in the case" in the higher judicatory. (B. D., Ch. IX, § 98.)

17. Limitations upon higher judicatory. "No judicial decision shall be reversed, unless regularly taken up on appeal" or complaint. (B. D., Ch. IX, § 75.) "Nothing which is not contained in the record shall be taken into consideration in the higher judicatory." (B. D., Ch. IV, § 25.) If omissions occur in the records, the higher judicatory will either return the records for amendment or itself make good the deficiency, and proceed with the case. (B. D., Ch. IX, § 77.)

18. New trial, when proper. "If, in the prosecution of an appeal, new evidence is offered, which, in the judgment of the appellate judicatory, has an important bearing on the case, it shall either refer the whole case to the inferior judicatory for a new trial; or, with the consent of the parties, take the testimony, and hear and determine the case." (B. D., Ch. VIII, § 70.) A new trial can be ordered by a superior judicatory on the allegation of new testimony (Minutes G. A., 1878, p. 34); or on the ground of errors in procedure (B. D., Ch. IX, § 99).

19. Judgment of the higher judicatory, record of. 'On the final disposition of a case in a higher judicatory, the record of the case, with the judgment, shall be trans-

mitted to the judicatory in which the case originated." (B. D., Ch. IV, § 30.) The judgment of the higher judicatory should be entered on the records of the Session.

XXVI. COMPLAINTS.

1. Complaint, definition. "A complaint is a written representation by one or more persons, subject and submitting to the jurisdiction of an inferior judicatory, to the next superior judicatory against a particular delinquency, action, or decision of such inferior judicatory in a nonjudicial or administrative case." (B. D., Ch. IX, § 84.)

2. Form of complaint. For form of complaint, see "Forms for Sessions," p. 376.

3. Complain, who may. "A complaint may be made by one or more persons subject and submitting to the jurisdiction of the judicatory complained of." Any member or officer of the church may therefore complain against any decision of a Session. "The parties to a complaint shall be known, respectively, as complainant and respondent." (B. D., Ch. IX, § 90.) The Session in such cases is the respondent. In complaints connected with judicial cases, the parties are called appellant and appellee. (B. D., Ch. IX, § 94.) The Session in such cases is the appellee.

4. Nonjudicial and judicial cases. A nonjudicial case is a case which has to do simply with matters of administration, such, for instance, as the issuing of a certificate of dismission or the calling of a congregational meeting. The distinction between a nonjudicial and a judicial case lies in the fact that the latter deals always with an alleged or actual offence, in connection with which process has been duly initiated.

5. Complainant. The party making a complaint in nonjudicial cases.

6. Respondent. The party opposing a complaint in nonjudicial cases.

7. Appellant and appellee. See above, p. 182.

8. Session to be represented in the higher judicatory. The Session "should always be represented by one or more of its number appointed for that purpose, who may be assisted by counsel." (B. D., Ch. IX, § 90.) These representatives should be appointed by the Session promptly, and a certificate of appointment should be given them, signed by the clerk of Session.

9. Complaint, against what taken. A complaint may be made "against a particular delinquency, action, or decision of such inferior judicatory in a nonjudicial or administrative case." (B. D., Ch. IX, § 84.) Failure of a church Session to act in important matters, especially in a case requiring discipline, is a cause for complaint. (B. D., Ch. IX, § 76.) So also is any decision of a Session whether it be in its nature administrative or nonjudicial.

10. Complaint, notice of. "Written notice of complaint shall be given, within ten days after the action complained of was taken, to the clerk, or, in case of his death, absence, or disability, to the moderator, of the judicatory against whose action the complaint is made." (B. D., Ch. IX, § 85.)

11. Decision, when suspended by complaint. Whenever a complaint, in cases nonjudicial, is entered against a decision of a judicatory, signed by at least one third of the members recorded as present when the action was taken, the execution of such decision shall be stayed until the final issue of the case by the superior judicatory. (B. D., Ch. IX, § 87.)

12. Transmission of the records, etc. "The clerk, or, in case of his death, absence, or disability, the moderator, of the judicatory against whose action the complaint is made, shall lodge the notice of complaint, with the records and all the papers pertaining to the case, with the clerk of the superior judicatory not later than thirty days after receipt of notice of complaint. The complainant shall lodge his complaint with the clerk of the superior judicatory within thirty days after the date of the notice thereof. (B. D., Ch. IX, § 85, 86.)

13. Records, effect of failure to transmit. "The judicatory against which a complaint is made shall send up its records, and all the papers relating to the matter of the complaint, and filed with the record; and, for failure to do this, it shall be censured by the superior judicatory, which shall have power to make such orders, pending the production of the records and papers, and the determination of the complaint, as may be necessary to preserve the rights of all the parties." (B. D., Ch. IX, § 93.)

14. Session cannot sit in complaint. "Neither the complainant nor the members of the judicatory complained of shall sit, deliberate, or vote in the case." (B. D., Ch. IX, § 91.)

15. Complaint, effect of, when sustained. The effect of a complaint, if sustained, may be the reversal, in whole or in part, of the action of the lower judicatory; and may also, in cases nonjudicial, be the infliction of censure upon the judicatory complained of. When a complaint is sustained, the lower judicatory shall be directed how to dispose of the matter. (B. D., Ch. IX, § 89.)

16. Complaint may be referred to a commission. A complaint must be made to the next higher judicatory; and may be issued either by said judicatory, or by a commission appointed by it. (B. D., Ch. IX, § 84; XIII, § 118.

17. Session may appeal. "Either of the parties to a Complaint may complain to the next superior judicatory, except as limited by Chapter XI, Section 4, of the Form of Government." (B. D., Ch. XIII, § 118.) The section of the Form of Government referred to declares of the Synod that its decisions on appeals, complaints, and references, which "do not affect the doctrine or Constitution of the Church, are final." The General Assembly only, however, can adjudicate in such cases the question as to whether the decision complained against, does not affect the "doctrine or Constitution."

18. Other provisions. The matters above given deal

only with complaints as they have direct relation to Sessional action. See, for further provisions, Book of Discipline, Chapter IX, Sections 84–93, and also "Appeals," Book of Discipline, Chapter X, Sections 94–102.

XXVII. DISSENTS AND PROTESTS.

1. Dissent, definition. "A dissent is a declaration of one or more members of a minority in a judicatory, expressing disagreement with a decision of the majority in a particular case." (B. D., Ch. X, § 103.)

2. Protest, definition. "A protest is a more formal declaration, made by one or more members of a minority, bearing testimony against what is deemed a mischievous or erroneous proceeding, decision, or judgment, and including a statement of the reasons therefor." (B. D., Ch. X, § 104.)

3. Dissent and protest, who may. "No one shall be allowed to dissent or protest who has not a right to vote on the question decided, and no one shall be allowed to dissent or protest on any question who did not vote against the decision. (B. D., Ch. X, § 107.) "A paper of the nature of a protest was offered from persons not members, which was read, and on motion returned to the parties." (Minutes G. A., O. S., 1867, p. 35.)

4. Record, when permitted. "If a dissent or protest be couched in decorous and respectful language, and be without offensive reflection or insinuations against the majority, it shall be entered on the records." (B. D., Ch. X, § 105). "It is the sense of this General Assembly that the protest is not respectful in language, and that it be returned to the author." (Minutes G. A., O. S., 1866, p. 104.)

5. Record to be ordered by judicatory. A protest to be recorded should not only be handed to the moderator or stated clerk, but should be directed to be inserted in the minutes by the judicatory. (Minutes G. A., 1828, p. 242.)

6. Must be entered before adjournment. "Any member who may think himself aggrieved by a decision, shall have his dissent or protest entered on the records or filed among the papers, if given in before the rising of the body." (Minutes G. A., 1822, p. 44.)

7. Protests may be answered. "The judicatory may prepare an answer to any protest which imputes to it principles or reasonings which its action does not import, and the answer shall also be entered upon the records. Leave may thereupon be given to the protestant or protestants, if they desire it, to modify their protest; and the answer of the judicatory may also, in consequence, be modified. This shall end the matter." (B. D. Ch. X, § 106.)

8. An argument is not a protest. An argument of the case is not to be treated as a protest, and, if presented, the protestant should "have leave to withdraw the same." (Minutes G. A., O. S., 1865, p. 592.) "The appropriate business of the protestants is simply to give the reasons on which their protests are founded, not to answer the argument of individuals in debate." (Minutes G. A., O. S., 1844, p. 378.)

XXVIII. DIFFERENCES BETWEEN SESSIONS.

1. Memorial to the Presbytery having jurisdiction. "Any judicatory deeming itself aggrieved by the action of any other judicatory of the same rank, may present a memorial to the judicatory immediately superior to the judicatory charged with the grievance and to which the latter judicatory is subject, after the manner prescribed in the sub-chapter on 'Complaints' (Sections 84–93, Book of Discipline.)" (B. D., Ch. XIV, § 137.) p. 212. (For Petitions to General Assembly, see Min. 1928, p. 47.)

2. Limitation of time. "Save only that with regard to the limitation of time, notice of said memorial shall be lodged with the stated clerks, both of the judicatory charged with the grievance and of its next superior ju-

dicatory, within one year from the commission of the said alleged grievance." (B. D., Ch. XIV, § 137.)

3. Appointment of committee. "When any judicatory deems itself aggrieved by another judicatory, and determines to present a memorial as provided for in the preceding section, it shall appoint a committee to conduct the case in all its stages, in whatever judicatory, until the final issue be reached." (B. D., Ch. XIV, § 138.) The Session cannot discharge this committee, when once appointed, as the Constitution contains no provision to that effect. Like the Committee on Prosecution, p. 169, it is a committee which is discharged by the ending of the case with which it is connected.

4. Action by the Presbytery. "The judicatory with which the memorial is lodged, if it sustain the same, may reverse in whole or in part the matter of grievance, and shall direct the lower judicatory how to dispose of the case, and may enforce its orders." (B. D., Ch. XIV, § 139.)

5. Appeal. "Either party may appeal to the next higher judicatory, except as limited by Chapter XI, Section 4, of the Form of Government." (B. D., Ch. XIV, § 139.) See p. 187.

II. The Session and the Higher Judicatories.

I. GENERAL.

1. The Session the inferior judicatory. The Presbyterian Church as a denomination is a unit, and is organized upon the principle that "a representation of the whole should govern and determine in regard to every part and all the parts united." The Session is therefore subject, under the Constitution, to the higher courts. See in this Manual, captions 7 to 10, pp. 201–203.

2. Succession of courts. For the several Church courts or judicatories in the Presbyterian System of Government, see this Manual, pp. 190–198.

3. Session cannot protest against acts of the higher judicatories. "Remonstrance or complaint for the opening of a question may be made by an inferior judicatory to a superior; but protest against the action [of a higher judicatory] can be made only by a minority of the body itself." (Minutes G. A., O. S., 1864, p. 307.)

4. Duty of obedience. The Session of a church should loyally obey all orders and decisions of the higher courts. To this obedience they are under obligation alike by the letter and spirit of the Presbyterian System, and by the ordination vows of both ministers and ruling elders. If aggrieved by the action of a higher court, they should seek redress in a Constitutional manner. See, below, "Remedy."

5. Remedy for alleged wrong. In the case of an alleged wrong, a Session, through all its members or by one of its members, may complain to the judicatory having immediate control of the judicatory committing said alleged wrong, in accordance with the provisions of the Book of Discipline. (See p. 185.) In case the time for filing a complaint has passed, the Session can address a memorial to the proper higher judicatory, calling its attention to the alleged wrong, and requesting action by it on the review of the records of the alleged offending judicatory. See for action against a Session by another Session, p. 189.

6. Records, transmission of. See "Appeals," p. 183.

II. PRESBYTERY.

1. Definition. The Presbytery is the Church judicatory which exercises immediate jurisdiction over the particular churches within a given district whose bounds are usually defined by the Synod. But in a number of cases the Assembly has erected Presbyteries by virtue of its own general powers and authority.

2. Composition. "A Presbytery consists of all the ministers, in number not less than five, and one ruling

elder from each congregation, within a certain district." (F. G., Ch. X, § 2.)

3. General powers. The powers of a Presbytery over the Sessions and churches within its bounds are great. As stated in the Constitution they are as follows: "Presbytery has power [1] to receive and issue all appeals, complaints, and references, that are regularly brought, before it, from church Sessions, . . . [2] to examine and approve or censure the records of church Sessions; [3] to resolve questions of doctrine or discipline seriously and reasonably proposed; [4] to condemn erroneous opinions which injure the purity or peace of the Church; [5] to visit particular churches, for the purpose of inquiring into their state, and redressing the evils that may have arisen in them; [6] to unite or divide congregations, at the request of the people, . . . [7] and, in general, to order whatever pertains to the spiritual welfare of the churches under their care." (F. G., Ch. X, § 7.) For the detail of instances of the exercise of the above-named powers of Presbytery, see the Assembly's Digest, under the proper heads. Certain other powers of Presbytery over Sessions are given below.

4. Appellate powers. The Presbytery has power to receive and issue appeals, complaints, and references from church Sessions, brought before them in an orderly manner, and in the trial of judicial cases the Presbytery shall have power to appoint and act by judicial commissions. (F. G., Ch. X, § 7.)

5. Power of review. "To examine and approve or censure the records of the church Sessions." (F. G., Ch. X, § 7.)

6. Powers of control. "To examine and license candidates for the holy ministry; to ordain, install, remove, and judge ministers; . . . to resolve questions of doctrine or discipline seriously and reasonably proposed; to condemn erroneous opinions which injure the purity or peace of the Church; to visit particular churches, for the purpose of inquiring into their state, and redressing the

evils that may have arisen in them; to unite or divide congregations, at the request of the people, or to form or receive new congregations, and, in general, to order whatever pertains to the spiritual welfare of the churches under their care." (F. G., Ch. X, § 7.)

7. Power of Amendment. (See "General Assembly," p. 197.)

8. Complaint. See "Remedy," p. 191.

9. Neglect of judicatories to perform duty. "Judicatories may sometimes neglect to perform their duty, by which neglect heretical opinions or corrupt practices may be allowed to gain ground, or offenders of a gross character may be suffered to escape; or some part of their proceedings may have been omitted from the record, or not properly recorded. If, therefore, at any time, the superior judicatory is well advised of such neglects, omissions, or irregularities on the part of the inferior judicatory, it may require its records to be produced, and shall either proceed to examine and decide the whole matter, as completely as if proper record had been made; or it shall cite the lower judicatory, and proceed as in the next preceding section." (B. D., Ch. IX, § 77.) See caption No. 14 below.

10. Neglect to institute process. "The higher judicatories may institute process in cases in which the lower have been directed so to do, and have refused or neglected to obey." (B. D., Ch. IV, § 19.)

11. References. See p. 175.

12. Review of records. See p. 62.

13. Representation. See pp. 129–132.

14. Unconstitutional proceedings. "If a judicatory is, at any time, well advised of any unconstitutional proceedings of a lower judicatory, the latter shall be cited to appear, at a specified time and place, to produce the records, and to show what it has done in the matter in question; after which, if the charge is sustained, the whole matter shall be concluded by the judicatory

itself, or be remitted to the lower judicatory, with directions as to its disposition." (B. D., Ch. IX, § 76.)

III. SYNOD.

1. Definition. A Synod is the Church judicatory which exercises immediate jurisdiction over the Presbyteries, not less than three in number, within a given district whose bounds are defined by the General Assembly.

2. Composition. "As a Presbytery is a convention of the bishops and elders within a certain district; so a Synod is a convention of the bishops and elders within a larger district, including at least three Presbyteries. The Synod may be composed, at its own option, with the consent of a majority of its Presbyteries, either of all the bishops and an elder from each congregation in its district, with the same modifications as in the Presbytery, or of equal delegations of bishops and elders, elected by the Presbyteries on a basis and in a ratio determined in like manner by the Synod itself and its Presbyteries." (F. G., Ch. XI, § 1.)

3. General powers. Ordinarily, the Synod has no direct relation to the churches under its care, until the Presbytery in which a given church is located has taken such action as may necessitate the exercise by the Synod of its appellate powers. The Constitution, however, gives Synods the power "generally, to take such order with respect to the Presbyteries, Sessions, and people under their care, as may be in conformity with the Word of God and the established rules, and may tend to promote the edification of the Church." (F. G., Ch. XI, § 4.) Synods by this Constitutional provision have original and immediate power over the Sessions within their bounds, whenever action appears to be necessary. The limits of this power, however, have never been defined. See "Remedy," p. 191; also captions Nos. 9, 10, 14, immediately above.

4. Appellate powers. The Synod has power to receive and issue all appeals regularly brought up from the Presbyteries; *provided*, that in the trial of judicial cases the Synod shall have power to act by commission, in accordance with the provisions on the subject of judicial commissions in the Book of Discipline; to decide on all references made to them; its decisions on appeals, complaints, and references, which do not affect the doctrine or Constitution of the Church, being final. (F. G., Ch. XI, § 4.)

5. Power of review. "To review the records of Presbyteries, and approve or censure them; to redress whatever has been done by Presbyteries contrary to order." (F. G., Ch. XI, § 4.)

6. Powers of control. "To take effectual care that Presbyteries observe the Constitution of the Church; to erect new Presbyteries, and unite or divide those which were before erected, . . . generally to take such order with respect to the Presbyteries, Sessions, and people under their care, as may be in conformity with the Word of God and the established rules, and may tend to promote the edification of the Church." (F. G., Ch. XI, § 4.)

7. Power of overture. "And, finally, to propose to the General Assembly, for its adoption, such measures as may be of common advantage to the whole Church." (F. G., Ch. XI, § 4.)

8. Representation. See p. 131.

IV. GENERAL ASSEMBLY.

1. Definition. "The General Assembly is the highest judicatory of the Presbyterian Church. It shall represent, in one body, all the particular churches of this denomination; and shall bear the title of The General Assembly of the Presbyterian Church in the United States of America." (F. G., Ch. XII, § 1.) The jurisdiction of the Assembly as a Church judicatory, whether original or appellate, extends over the entire Church.

2. Composition. "The General Assembly shall consist of an equal delegation of bishops and elders from each Presbytery, in the following proportion; viz: each Presbytery consisting of not more than twenty-four ministers, shall send one minister and one elder; and each Presbytery consisting of more than twenty-four ministers, shall send one minister and one elder for each additional twenty-four ministers, or for each additional fractional number of ministers not less than twelve; and these delegates, so appointed, shall be styled, Commissioners to the General Assembly." (F. G., Ch. XII, § 2.)

3. General powers. The powers of the General Assembly as indicated above are very large. Among these the original power appears (F. G., Ch. XII, § 5) of "superintending the concerns of the whole Church" —i. e., the affairs and matters which concern all the particular churches of the denomination. The General Assembly, therefore, as the only judicatory having a jurisdiction coextensive with the whole Church, is the supreme authority in all matters affecting the interests of the entire Church. See captions Nos. 9, 10, 14, immediately above.

4. Appellate powers. "The General Assembly shall receive and issue all appeals, complaints, and references, that affect the doctrine or Constitution of the Church, which may be regularly brought before it from the inferior judicatories," *provided*, that in the trial of judicial cases the General Assembly shall have power to act by commission, in accordance with the provisions on the subject of Judicial Commissions in the Book of Discipline. (F. G., Ch. XII, § 4.)

5. Power of review. "They shall review the records of every Synod, and approve or censure them." (F. G., Ch. XII, § 4.)

6. Powers of control. "It shall give its advice and instruction, in all cases committed to it, in conformity with the Constitution of the Church; and it shall con-

stitute the bond of union, peace, correspondence and mutual confidence among all our churches." (F. G., Ch. XII, § 4.) "To the General Assembly also belongs the power of deciding in all controversies respecting doctrine and discipline; of reproving, warning, or bearing testimony against error in doctrine, or immorality in practice, in any church, Presbytery, or Synod; of erecting new Synods when it may be judged necessary; of superintending the concerns of the whole Church; of corresponding with foreign churches, on such terms as may be agreed upon by the Assembly and the corresponding body: of suppressing schismatical contentions and disputations." (F. G., Ch. XII, § 5.)

7. Power of recommendation. "And, in general, of recommending and attempting reformation of manners, and the promotion of charity, truth, and holiness, through all the churches under their care." (F. G., Ch. XII, § 5.)

8. Power of amendment. The General Assembly and the Presbyteries possess unitedly certain powers for the amendment or alteration of the Constitution, also for the adoption of constitutional rules. (F. G., Ch. XXIII, and XII, § 6.)

9. Differences between the Assembly's various deliverances and decisions. There is an essential difference between (1) deliverances of the Assembly recommendatory in character, (2) its testimony against error, (3) its decisions upon points of administrative law, and (4) its action in judicial cases. Deliverances in the nature of (1) recommendations of the Assembly for the "promotion of charity, truth, and holiness through all the churches" (F. G., Ch. XII, § 5) have simply an advisory character, and that moral power which accompanies counsel given by so reverend a body; (2) deliverances in the nature of testimony against "error in doctrine or immorality in practice" (F. G., Ch. XII, § 5) are not judicial decisions, can be given directly by the Assembly only when adequate proof is produced, and are author-

itative only as to principles; (3) decisions of the Assembly upon points of administrative law (F. G., Ch. XII, § 5) are authoritative under the Constitution and usage of the Church, by virtue of the power of "deciding in all controversies respecting doctrine and discipline." (This power covers doctrine as well as practice. Its use in deciding doctrinal controversies has been infrequent, but, it is claimed, is sustained by the Confession of Faith, Chapter XXXI, Section 2: "It belongeth to Synods and Councils, ministerially to determine controversies of faith, and cases of conscience."); (4) judgments rendered by the General Assembly in judicial cases: "When a judicial case comes to the General Assembly by constitutional procedure, a case which is issued by the General Assembly and judgment entered, the matter is disposed of, and the judgment in that particular case is final. The reason is that the Constitution of the Church does not provide for any higher judicial tribunal than the General Assembly, and an end of litigation must be reached somewhere. The decision in such a case stands as a powerful and persuasive precedent until altered or reversed.

The General Assembly has the power in its judicial capacity to record a contrary judgment in another case, resting upon a state of facts similar to, or precisely the same as, those of the former case. The General Assembly has power to do this at the same sitting of the court (though it is highly improbable that it would do so), and any succeeding Assembly also can create such new precedents, by the same means of a judicial decision in a specific case.

It will be seen that this is something entirely different from the adoption of an amendment to the Constitution. It would be intolerable if the General Assembly, whose powers are limited by the Constitution, could, even when sitting as a judicial court, amend by indirection, the organic law of the Church, which contains within itself provisions for effecting orderly change." (Minutes G. A., 1926, p. 83.)

IV.

THE PARTICULAR CHURCH.

IV.

THE PARTICULAR CHURCH.

I. Organization.

I. THE CHURCH.

1. General Principles.

1. A form of Church government is indispensable. "It is absolutely necessary that the government of the Church be exercised under some certain and definite form." (F. G., Ch. VIII, § 1.)

2. Particular churches are a necessity. As the "immense multitude of believers cannot meet together in one place, to hold communion, or to worship God, it is reasonable, and warranted by Scripture example, that they should be divided into many particular churches." (F. G., Ch. II, § 3.) "A particular church consists of a number of professing Christians, with their offspring, voluntarily associated together, for divine worship and godly living, agreeably to the Holy Scriptures; and submitting to a certain form of government." (F. G., Ch. II, § 4.)

3. Subordinate judicatories are necessary to good government. "The Church being divided into many separate congregations, these need mutual counsel and assistance, in order to preserve soundness of doctrine, and regularity of discipline, and to enter into common measures for promoting knowledge and religion, and for preventing infidelity, error, and immorality. Hence arise the importance and usefulness of Presbyterial and Synodical assemblies." (F. G., Ch. X, § 1.)

4. Power to govern is vested in Church judicatories, and not in individuals. "We hold it to be expedient, and agreeable to Scripture and the practice of primitive Christians, that the Church be governed by congregational, Presbyterial, and Synodical assemblies.

In full consistency with this belief we embrace, in the spirit of charity, those Christians who differ from us, in opinion, or in practice, on these subjects." (F. G., Ch. VIII, § 1.) This government by courts and not by individuals is a radical difference between Presbyterians and prelatists.

5. Church judicatories possess full power in spiritual matters. "These assemblies ought not to possess any civil jurisdiction nor to inflict any civil penalties. . . . They possess the right of requiring obedience to the laws of Christ; and of excluding the disobedient and disorderly from the privileges of the Church. To give efficiency, however, to this necessary and Scriptural authority, they possess the powers requisite for obtaining evidence and inflicting censure. They can call before them any offender against the order and government of the Church; they can require members of their own society to appear and give testimony in the cause." (F. G., Ch. VIII, § 2.) See Principle No. 3, p. 36; also p. 203, caption No. 10.

6. The people are to participate by representatives in the government of the Church. Both the theory and the practice of Presbyterian Church government involve the presence of the people of Christ, in all of the courts of the Church, through ruling elders "chosen by them" as their representatives. (F. G., Ch. V.)

7. The unity of the Church involves the control of the parts by the whole. "The several different congregations of believers, taken collectively, constitute one Church of Christ, called emphatically the Church—a larger part of the Church, or a representation of it, should govern a smaller, or determine matters of controversy which arise therein;—in like manner, a representation of the whole should govern and determine in regard to every part, and to all the parts united; that is, that a majority shall govern: and consequently that appeals may be carried from lower to higher judicatories, till they be finally decided by the collected wisdom and united voice of the whole Church." (Note to F. G., Ch. XII.)

8. Supreme judicatories are necessary. "For the better government and further edification of the Church, there ought to be such assemblies as are commonly called Synods or Councils: and it belongeth to the overseers and other rulers of the particular churches, by virtue of their office, and the power which Christ hath given them for edification and not for destruction, to appoint such assemblies; and to convene together in them, as often as they shall judge it expedient for the good of the Church." (C. F., Ch. XXXI, § 1.)

9. Supreme judicatories have both original and appellate authority. "It belongeth to Synods and Councils, ministerially, to determine controversies of faith, and cases of conscience; to set down rules and directions for the better ordering of the public worship of God, and government of his Church; to receive complaints in cases of maladministration, and authoritatively to determine the same." (C. F., Ch. XXXI, § 2.)

10. Authority of supreme judicatories to be acknowledged. "Which decrees and determinations, if consonant to the Word of God, are to be received with reverence and submission, not only for their agreement with the Word, but also for the power whereby they are made, as being an ordinance of God, appointed thereunto in his Word." (C. F., Ch. XXXI, § 2.)

2. Definitions and Characteristics.

1. Particular church, definition. "A particular church consists of a number of professing Christians, with their offspring, voluntarily associated together, for divine worship and godly living, agreeably to the Holy Scriptures; and submitting to a certain form of government." (F. G., Ch. II, § 4.) This definition is applicable to any particular church, with whatever denomination it may be connected.

2. The particular church divine and necessary. Each particular Christian church is recognized in the Word of God as an essential part of the Church universal

and visible, and as being of divine origin (Acts 9 : 31). The number of believers, further, is so large, that it is both "reasonable and warranted by Scripture example that they should be divided into many particular churches." (F. G., Ch. II, § 3.)

3. Unit of the Presbyterian System. The particular church is the primary organic unit in that system of Church government adopted by Presbyterians. Its organization, by the voluntary association of a number of believers, is the first step in the extension and operation of the Presbyterian polity. Though governed by the Session, it elects pastor, elders, and deacons. It is the reason why Presbytery as a judicatory exists, for "the Church being divided into many spearate congregations, these need mutual counsel and assistance, in order to preserve soundness of doctrine, and regularity of discipline, and to enter into common measures for promoting knowledge and religion, and for preventing infidelity, error, and immorality." (F. G., Ch. X, § 1.) "As a constituent part of the Presbytery, it is represented therein." The General Assembly, also, as the highest judicatory of the Church, represents, "in one body, all the particular churches of this denomination." The particular churches, therefore, are the organizations for whose good the several judicatories have been established, as well as the foundation upon which they stand.

4. Organization. The organization of a particular Presbyterian church is usually conducted by a committee of Presbytery appointed for the purpose. This committee is appointed, if the Presbytery deem proper, after the submission of a memorial to the judicatory, from the persons desiring to form a church. In exceptional cases home and foreign missionaries may organize churches, reporting the organization in due time to a Presbytery.

5. Enrollment. By this term is meant the placing of the name of a particular church upon the roll of a Presbytery. This may be done even where no officers have been elected, provided the new organization has been

placed under control of a committee appointed by the Presbytery. (Minutes G. A., 1890, p. 116.)

6. Rights of a church. The rights of a particular church are as follows: (1) to hold meetings for the transaction of church business, on call duly issued by the Session; (2) to require the Session to call a meeting for the election of a pastor (F. G., Ch. XV, § 1); (3) to elect officers—viz.: pastor, ruling elders, and deacons (F. G., Ch. I, § 6; Ch. XIII, § 2; Ch. XV, § 4); (4) to indicate their desire for a change in officers (F. G., Ch. XIII, § 6, and Ch. XVII); (5) to change the method of electing ruling elders and deacons (F. G., Ch. XIII, § 8); (6) to refuse assent or to consent to the installation of a pastor elect (F. G., Ch. XV, § 13); (7) to show cause by commissioners why the Presbytery should not accept the resignation of a pastor (F. G., Ch. XVII, § 1); (8) to indicate a desire to divide the church or to unite with another church (F. G., Ch. X, § 8); (9) to adopt rules for its government, subject to the provisions of the Constitution (F. G., Ch. XV, § 4); (10) to memorialize Presbytery concerning any matter needing action by that body. See also under "Meetings," p 206, "Rules," p. 216, and also under "Congregation," p. 215.

7. Duties of a church. The duties of a church are: (1) submission to the laws of Christ (F. G., Ch. II, § 2); (2) submission to the form of government which it has adopted (F. G., Ch. II, § 4); (3) obedience to its officers (F. G., Ch. XIII, § 4, and F. G., Ch. XV, § 13, Qs. 1 to 3); (4) maintenance of the ordinances of public worship, (F. G., Ch. VII, also D. W., entire); (5) coöperation with other churches for promoting the ends of the establishment of the Church (F. G., Ch. X, § 1); (6) promotion by offerings of the preaching of the gospel in all the world (D. W., Ch. VI, § 1); (7) providing for the financial obligations assumed in the call of a pastor (F. G., Ch. XV, § 6, and § 13, Q. 4). See also caption No. 22, p. 211.

8. Ordinances. By ordinances are meant the several

parts of the public worship of God. "The ordinances established by Christ, the Head, in a particular church, which is regularly constituted with its proper officers, are prayer, singing praises, reading, expounding and preaching the Word of God; administering baptism and the Lord's Supper; public solemn fasting and thanksgiving, catechizing, making collections for the poor and other pious purposes; exercising discipline; and blessing the people." (F. G., Ch. VII.) See section on "Worship," p. 103.

9. Officers of a church. The officers of the church as a spiritual body are "Bishops or Pastors; the representatives of the people, usually styled Ruling Elders; and Deacons." (F. G., Ch. III, § 2.) See for the duties, et cetera, of these officers under the appropriate heads, and also for trustees, under that head.

10. Election of officers. Church officers are elected by the church at duly called meetings. "The election of persons to the exercise of authority, in any particular society, is in that society." (F. G., Ch. I, § 6.) See for particulars under the heads, "Pastor," "Ruling Elders," and "Deacons," pp. 228, 265, 304.

11. Acceptance or declination of offices. Ruling elders and deacons elected to office by the church should notify the Session of their acceptance (or declination) of their offices, and that body has the power to proceed with their ordination and installation.

12. Meetings of a church. If the work and worship of our churches are to be conducted in an orderly way, some knowledge of ecclesiastical and civil law is absolutely essential, and at no point more than in connection with the calling and conduct of church meetings. All the meetings of a church should be planned for with great care. In these plans the Session and trustees should cordially coöperate. Each body should vie with the other in its loyalty to the law of the Church and to the law of the land. Indeed there is no more common cause for misun-

derstandings among church officials, and consequent friction, than carelessness in this connection.

13. Classification of church meetings. There are two kinds of church meetings:

a. "Congregational" meetings. A "congregational" meeting is called by the Session of a particular church or by a superior judicatory.

b. "Corporation" meetings. A "corporation" meeting is called by the Board of Trustees of a particular church or by a superior judicatory.

14. Calls for meetings.

a. A congregational meeting, called by the Session, should be announced from the pulpit of a particular church on the two Sabbaths next preceding date of meeting.

b. A corporation meeting, called by the Board of Trustees, should have the same publicity, and must have such publicity as the provisions of the law of the State prescribe for religious corporations or the charter or by-laws of a particular church directs. See p. 332.

15. Purpose of church meetings.

a. The congregational meeting is called to consider matters relating to the "spiritualities" of a church—i. e., matters over which, according to the law, the Session has jurisdiction.

b. The corporation meeting is called to consider matters relating to the "temporalities" of a church—i. e., matters over which according to the law, the trustees have jurisdiction.

Whenever in a particular church the matters to be considered cannot clearly be completely included in the classification "spiritualities" or the classification "temporalities", the wise procedure is for the Session to call a congregational meeting for a given day, hour and place, and the trustees a corporation meeting for the same place to convene immediately upon the adjournment of the congregational meeting, the corporation meeting to supplement or complete the action of the congregational meeting.

15a. Adjourned meetings. Adjourned meetings, whether of the congregation or corporation, are the original meeting still continuing, with its same rights or limitations. (Digest, 1922, Vol. I, p. 319.) See p. 130.

16. Officers of church meetings.

a. At congregational meetings the pastor of a particular church should be the moderator and the clerk of the Session the secretary. When it is inexpedient for the pastor to preside, a member of the same Presbytery may be invited by the pastor, with the approval of the Session, to preside. If the church be without a pastor, the moderator of the Session appointed by Presbytery should preside, or in his necessary absence a minister of the same Presbytery invited by him with the approval of the Session.

In case the clerk of the Session should not for any reason, or cannot, officiate, the meeting when assembled may elect a secretary *pro tempore.*

b. At corporation meetings, the president of the Board of Trustees of a particular church should act as temporary chairman and the secretary of the Board of Trustees as temporary secretary, provided the laws of the State and the charter of a particular church permit it.

It is a widely prevalent practice to make these officials the permanent chairman and secretary, respectively, of the meeting, provided the laws of the State and the charter of a particular church permit it.

17. Voters at church meetings.

a. At congregational meetings (1) all communicant members in good and regular standing, *of whatever age;* (2) all other persons, who regularly contribute according to their own engagements and the rules of a particular church to the support of said church. (See p. 223.)

At congregational meetings the General Assembly has recommended that only communicant members of a particular church shall vote when ruling elders are to be elected. (See p. 241, No. 13, 14.)

b. At corporation meetings only those are entitled to

vote who are authorized so to do by the charter or by the by-laws of the corporation.

The attention of churches desiring to adopt a by-law specifying who shall vote at corporation meetings is called to the constitutional provision covering this point, which is to the following effect: (1) All communicant members of the church in good and regular standing who are *of full age.* (2) All other persons *of full age* who regularly contribute according to their engagements and the rules of a particular church to the support of said church. See p. 331.

All whose names are upon the communicant roll of a particular church and against whom no action has been definitely taken by the Session in accordance with the provisions of the Book of Discipline, are "in good and regular standing."—1897, p. 139. See p. 223, c.

All persons are of full age who are twenty-one years of age or over.

18. Voting by proxy at church meetings.

a. As to voting by proxy in congregational meetings, Form of Government, Chapter VIII, Section 3, reads, "In these assemblies only members thereof who are personally present are entitled to vote."

b. As to voting by proxy in corporation meetings the Form of Government, Chapter XXVII, Section 8, reads, "Voting by proxy shall not be permitted, except in those states where voting by proxy in religious corporations is expressly authorized by statute." (See p. 332.)

In such states as legalize voting by proxy, the General Assembly has advised that such voting "shall be legal, provided notices of the meeting of the corporation have been duly sent to every legal voter whose address is known, and with each such notice a proxy has been enclosed with full information as to its meaning and use; and further, full compliance has been had with the requirements of the civil law governing such matters."—1922, p. 60.

19. Minutes of church meetings.

a. Reading of the minutes. The minutes of every church meeting whether congregational or corporation should be read and approved before adjournment. This will insure accuracy. To make such reading before adjournment possible, the presiding officers should insist that all resolutions offered should be submitted in writing. It is also highly desirable whenever possible to have the secretary of the meeting assisted by a stenographer. There are often in a congregation most capable stenographers who would willingly contribute service in this capacity and so economize time during the meeting and insure an accurate record of the proceedings.

b. Recording of the minutes. The minutes of all church meetings whether congregational or corporation should be carefully preserved. Some churches have adopted the plan of securing two suitable record books, one for the minutes of congregational meetings, and another for the minutes of the corporation meetings; while other churches place the minutes of all church meetings in a single book. Still others place the minutes of congregational meetings in the minute book of the Session, and the minutes of the corporation meetings in the minute book of the trustees. Perhaps the best method is that first referred to, namely, the securing of two suitable record books. If two books be devoted to such use, it should be clearly understood that the clerk of the Session is responsible for the recording and preservation of the minutes of congregational meetings and the secretary of the Board of Trustees responsible for the recording and preservation of the minutes of the corporation meetings. "All proceedings of the church shall be reported to, and reviewed by, the Session, and by its order incorporated with its records." (B. D., Ch. IV, § 7.)

20. Congregational meetings for calling a pastor, and for other purposes. In connection with the election of a pastor "it shall always be a duty of the Session, to convene them, when a majority of the persons entitled to vote in the case, shall, by a petition request that a meeting

may be called." (F. G., Ch. XV, § 1.) Other meetings are subject to the discretion of the Session, with the right reserved to any member of the church to memorialize Presbytery. "The Session of a church has the authority to convene the congregation for all such purposes; but should the Session neglect or refuse to convene the congrégation, the party feeling aggrieved has its remedy by application to Presbytery in the form of a complaint." (Minutes G. A., 1822, p. 21.) See under "Complaint," p. 185, and "Memorials," p. 212. See p. 237.

21. Church confessions. "The confessions of faith in use among local churches, though regarded by many as convenient and useful, and certainly sanctioned by a very general usage, are nevertheless not essential to the organization of a church or the establishment of membership therein, since they are not the authoritative standard of faith or practice in the Presbyterian Church." (Minutes G. A., N. S., 1865, p. 22.) It is to be remembered, in this connection, that the authoritative standard of faith and practice in the Presbyterian Church is the Constitution, and that Church members are not required to adopt the same. See under "Subscription," p. 28. This fact makes it both inadvisable and illegal for any church to adopt its own confession of faith. Further, forms for the public confession of faith to be made by persons admitted to membership on profession are to be adopted, if at all, by the Session, which is alone vested with power to act. See p. 68, etc.

22. Church members. For the duties of Church members in general, see the questions respecting duties, in connection with each of the Ten Commandments as contained in the Larger and Shorter Catechisms. For other matters, see under the appropriate heads in this Manual.

23. The Session and the church. The Session is the governing body in the particular church. It is charged with the maintenance of "the spiritual government of

the congregation." (F. G., Ch. IX, § 6.) For the particular powers, duties, etc., of Session, see under the appropriate heads.

24. Representation. The provisions for the representation of churches by ruling elders in Presbytery and Synod, are given on pp. 129–132.

25. The Presbytery and the church. The Presbytery has the power "to visit particular churches, for the purpose of inquiring into their state, and redressing the evils that may have arisen in them; to unite or divide congregations, at the request of the people, or to form or receive new congregations, and, in general, to order whatever pertains to the spiritual welfare of the churches under their care." (F. G., Ch. X, § 7.)

26. Memorials to Presbytery. A meeting of the church duly assembled, or any number of members of the church acting for themselves, may address a memorial or petition to the Presbytery having jurisdiction, bringing to the attention of that judicatory any matter which they may deem sufficiently important to warrant the taking of such a step. Effort must be made, prior to such action on the part of the church, or of any portion of it, to secure action by the Session in the matter at issue; otherwise the Presbytery may decline to receive the memorial. p. 189.

27. Church, withdrawal of. "No Presbyterian church, under care of a Presbytery, can withdraw regularly without first asking consent and leave of the Presbytery, under whose care and jurisdiction it voluntarily placed itself." (Minutes G. A., 1876, p. 80.) Unless the consent of Presbytery be obtained, the withdrawal of a church is not only irregular under ecclesiastical law, but is illegal under the civil law. (Digest, 1922, Vol. I, pp. 700–705.)

28. Church, dissolution of. The Presbytery has the power to dissolve any church under its care. (Minutes G. A., 1875, p. 507.) The judicatory "must be its own judge as to the causes that are sufficient to justify it in dissolving any church in its connection. If any wrong is

done to a church by such a Presbyterial act, its remedy is to be found in an appeal [complaint] to a higher judicatory." (Minutes G. A., 1879, p. 615.) The church, however, must have "previous notice of the contemplated action of the Presbytery." (Minutes G. A., 1878, p. 41.)

29. Church, extinct. "If a church becomes extinct, the Presbytery with which it was connected shall have jurisdiction over its members, and grant them letters of dismission to some other church. It shall, also, determine any case of discipline begun by the Session, and not concluded." (B. D., Ch. XI, § 112.) See p. 332.

3. Members of the Church.

1. Extent of Sessional jurisdiction. "No member of a church can properly ever cease to be such but by death, exclusion, regular dismission, or an orderly withdrawing to join some other Christian denomination; and must of necessity continue to be amenable to that church until he becomes regularly connected with another." (Minutes G. A., 1825, p. 256.) See pp. 65–67.

2. Congregation has no jurisdiction. "No vote of the congregation of a Presbyterian church can affect the rights of a communing member as such. All such power is vested in the Session." (Minutes G. A., O. S., 1866, p. 54.)

3. Exceptions to Sessional jurisdiction. Only the Session can receive or dismiss church members, except:

a. At the organization of a church, when the committee of Presbytery acts. See p. 214, 5.

b. At the dissolution of a church, when Presbytery can grant letters of dismission. (B. D., Ch. XI, § 112.)

c. In the case of a minister who demits his office, when the Presbytery can give him a letter to any church with which he may desire to connect himself. (B. D., Ch. VII, § 52.)

d. In the case of a complaint against a Session for not granting a letter of dismissal to a church member, when

the Presbytery has ordered the Session to act. If the Session declines to obey the order of Presbytery to grant the letter, then the Presbytery may issue the letter under the signature of its own officer. See caption No. 20, p. 78.

4. Specific powers over members. The church Session "have power to inquire into the knowledge and Christian conduct of the members of the church; to call before them offenders and witnesses, . . . to receive members into the church; to admonish, to rebuke, to suspend or exclude from the Sacraments, those who are found to deserve censure." (F. G., Ch. IX, § 6.) The powers of Session over members are, therefore, (1) reception, (2) oversight, (3) judicial action, (4) dismission. These several powers are treated of under their appropriate heads.

5. Church without elders. In the case of a church without ruling elders "the Presbytery should appoint a special committee to take the oversight of the church, and to secure, as soon as possible, the election of proper officers —ruling elders and deacons— that it may perform all the functions of a Presbyterian church." (Minutes G. A., 1890, p. 116.) The special committee of Presbytery is the proper body to receive members in the case of such church.

6. Members of extinct church. See caption No. 29, p. 213.

7. Candidates and licentiates are Church members. "That although candidates and licentiates are training for the gospel ministry, and in consequence of this are placed under the care of Presbyteries, and in certain respects become immediately responsible to them, yet they are to be regarded as belonging to the order of the laity till they receive ordination to the whole work of the gospel ministry." (Minutes G. A., 1829, p. 377.)

8. Church membership of candidates may be in other Presbytery than the one licensing. Presbytery may receive, and act upon, a request for examination, licensure, and ordination, of a person whose membership

is known to be in a church that is without the bounds of the Presbytery acting, subject to the F. of G., Ch. XIV, § 9. (Digest, 1922, Vol. I, p. 155.)

9. Ordained ministers not to be considered church members. Minutes G. A., O. S., 1843, p. 176.

II. THE CONGREGATION.

1. General Principles.

1. Congregation as an ecclesiastical body. This term describes ecclesiastically the body which is recognized by the Constitution of the Church, and the decisions of the General Assembly, as the body entitled to vote for pastor. "Members of a congregation not communicants, who regularly contribute their due proportion of the necessary expenses of the church and congregation, have a right to vote in the election of a pastor." (Minutes G. A., 1886, p. 48.) This decision is based upon Form of Government, Chapter XV, Section 4. The congregation is composed, therefore, of all the communicant members of the church, and in addition may include noncommunicants who contribute regularly for the support of the church.

2. Officers. "The ordinary and perpetual officers in the Church are Bishops or Pastors; the representatives of the people, usually styled Ruling Elders; and Deacons." (F. G., Ch. III, § 2.)

3. Membership. The General Assembly has defined the word congregation as used in Form of Government, Chapter XIII, Section 2, to include "only the actual communicants of the particular church." (Minutes G. A., 1882, p. 87.) It is to be noted, however, that this deliverance applies only to the body which elects elders and deacons. On the other hand, in interpreting the word congregation in Form of Government, Chapter XV, Section 4, the

Assembly has repeatedly declared that "in pastoral elections the word includes all persons associated together in a given organization for the worship of God, whether communicants in good standing, or regular contributors to church expenses." (Minutes G. A., 1879, p. 630; 1886, p. 84; 1897, p. 139.) See p. 234, 16.

4. Powers and duties. The congregation as an ecclesiastical body is subject to the Session, except as it possesses certain rights and is required to perform certain duties, set forth under the heads, "Rights of a church" and "Duties of a church," pp. 204, 205. For its powers and duties as a secular body see under "Corporation."

5. Meetings. See "Meetings of the church," p. 206.

2. Rules for the Congregation.

The church as an ecclesiastical body is empowered to make its own rules, provided these rules are in full harmony with the Constitution of the Presbyterian Church. See "Rights of a church," p. 204. The rules given below are simply *suggestions*, and with the exception of rules 1, 3, 4, 5, 10, and 13, may be modified according to differing circumstances.

1. Authority of the Constitution. This particular church being in connection with the Presbyterian Church in the U. S. A., the Constitution of the said Church, in all its provisions, is obligatory upon this congregation.

2. Annual meeting of the congregation. There shall be an annual meeting of the congregation in the church edifice on the ———— for the transaction of any business properly coming, before such meeting. The Session shall give ten days notice of the time and purpose.

3. Special meetings. The Session may call special meetings of the congregation whenever it deems it advisable, specifying the business to be proposed, to which business action shall be confined. (Digest, 1922, Vol. I, p. 83.)

4. Moderator. The moderator of the congregational meeting is the pastor. When a church is vacant, and a minister cannot be secured to preside, the Session shall appoint the presiding officer of all congregational meetings.

5. Clerk of the congregational meetings. The clerk of Session shall be the clerk of all meetings of the congregation. In the absence of the clerk of Session, the Session shall appoint a substitute.

6. Quorum. Ten church members shall be a quorum for the transaction of business at all congregational meetings.

7. Elections. All elections shall be by ballot, and a majority of the votes cast shall be necessary to elect. This rule, in so far as it deals with the ballot, may be suspended, however, by a three-fourths vote of the electors present at any meeting.

8. Choice of pastor. The nomination of a candidate for pastor shall be left to a committee, to be known as the Committee on Pastor. Said committee shall be chosen by the congregation at a duly called meeting. (See F. G., Ch. XXI, § 2.)

9. Nominations for pastor. The Committee on Pastor shall report to the church a name or names for the office of pastor, and if the report be received by the meeting, no other names shall be considered. If the report be not received, any qualified elector may nominate a candidate for pastor.

10. Voters for pastor. All communicant members, of both sexes and of whatever age, are qualified to vote at a congregational meeting called to elect a pastor, and in

addition to such communicants all other persons who contribute regularly to the annual expenses of the congregation.

11. Lists of voters for pastor. The roll of members in the possession of the church Session, and the list of pewholders and other regular contributors on the books of the treasurer of the Board of Trustees, shall be the lists to determine who are the qualified voters at the election of a pastor.

12. Nominations for elders and deacons. Nominations for elders and deacons may be made by the Session, but may also be made by any church member.

13. Voters for elders and deacons. The electors of elders and deacons shall be the communicant members of the church.

14. Term service. The elders and deacons shall be chosen under the mode of term service as contained in the Form of Government, Chapter XIII, Section 8.

15. Rules of order. All meetings of the congregation and also of the corporation, shall be conducted in accordance with the Rules for Judicatories adopted by the General Assembly of the Presbyterian Church in the U. S. A., so far as they apply, and, where they do not apply, according to the usual legislative rules of order. See p. 329.

16. Amendments, etc. The above rules, with the exception of Rules 1, 3, 4, 5, 10, and 13, may be altered, amended, or repealed at any meeting by a majority of the electors present; *provided*, that ten days' public notice shall have been given of such proposed alteration, amendment, or repeal.

3. General Financial System.

a. Church Support.

1. Warrant. The practice of providing for the support of the ministry and for general congregational expenses, by regular and systematic methods, is warranted by the tithing system in vogue under the Old Testament, and also

by the declarations of the New Testament. (See Num. 26 : 20; Mal. 3 : 10; Matt. 10 : 10; I Cor. 9 : 14; II Cor. 8 : 21; 9 : 12.)

2. Constitutional provisions. In the Constitution of the Church, while no specific method is indicated, the obligation to church support is recognized in the requirement defining the qualifications of voters at elections for pastors. That requirement reads, "In this election no person shall be entitled to vote . . . who does not contribute his just proportion, according to his own engagement, or the rules of that congregation, to all its necessary expenses." (F. G., Ch. XV, § 4.)

3. Methods. As indicated under the preceding caption, no particular method of church support is made obligatory either by law or usage. Each congregation is at liberty to adopt its own method, and it is suggested that this be done either by a formal vote at a congregational meeting, or by referring the entire matter to the Session and the Board of Trustees. Any method adopted should seek to apply the principle of equality as to contributions indicated in II Cor. 8 : 12–15, and should secure contributions from every member. Especially is it desirable that the Session and Board of Trustees should heartily coöperate in the raising of church funds. The principal methods in use are indicated in the next sections.

4. Pew rents. In some congregations the expenses of church support are provided for by the renting of the pews, upon a scale of prices graduated in such a manner as to furnish to all members of the congregation sittings at a cost within the means of each. This system is sometimes supplemented by offerings taken up at the church services, on Sabbaths other than those devoted to benevolent and missionary offerings. It is also at times supplemented by subscriptions made by the wealthier members of the congregation. The system of pew rents is a method of church support, however, which is steadily decreasing in favor.

b. Benevolence.

1. Subscriptions. In some congregations the benevolence funds are secured through definite subscriptions payable at stated intervals.

2. Weekly envelope contributions. In a constantly increasing number of churches the system of weekly contributions has been found most satisfactory. For detailed information concerning the "Every Member Plan" (see p. 113), the Promotional Department of the General Council of the General Assembly or the proper Presbyterial officers should be consulted.

3. Persons in charge. The persons ordinarily entrusted with the care of the moneys necessary for church support are those placed in charge of church temporalities. Usually these persons are the trustees, and where deacons manage the finances they are none the less trustees. Whoever may be placed in charge, care should be taken by them to (1) make annually an estimate of the sums needed for church support; (2) provide an appropriate, systematic, and comprehensive method of gathering moneys; (3) keep accurate account of receipts and payments; (4) report regularly and fully to the congregation.

III. THE CORPORATION.

1. General Matters.

1. Corporation, definition. A corporation is an artificial being, created by a sovereign authority, either by special act or under general laws passed by a legislature, and invested by the sovereign authority with specific powers. The civil law frequently employs the word to designate the persons entitled to elect trustees, and to perform certain other functions vested in them by statute law or by charter. Corporations are of several kinds, such, for instance, as public and private.

2. Religious corporation, definition. Religious corporations are private corporations, not for profit, formed for religious purposes, ordinarily either for the maintenance of religious worship in accordance with the religious tenets of the corporators, or for missionary, charitable, and educational objects.

3. Churches should be incorporated. Every Presbyterian church should secure and provide for the control and management of its property, by due incorporation, in accordance with the laws of the state or territory in which it is located. See p. 331.

4. Church distinct from corporation. The church, primarily, is an ecclesiastical or spiritual body, and as such spiritual body it is not incorporated, and does not manage the temporalities. On the other hand, the corporation, which derives its existence from the civil power, has no authority over the church as a spiritual body. It cannot alter the church faith, cannot receive or expel church members, and it cannot prevent the Session from receiving or expelling whomsoever that body shall see fit to receive or expel. Its sole function is to hold the title and manage the temporalities for the use of the spiritual body. See also under "Church," p. 203, and "Trustees and the Session," pp. 315, 322.

5. Corporation as distinct from trustees. See caption No. 11, p. 222.

6. Extent of legislation. The United States and all the states, except Virginia and West Virginia, provide for the incorporation in some manner of religious societies or churches. The two states named provide for the holding of church property by trustees, nominated by the church and appointed by the courts.

7. Method of incorporation. Where a corporation is organized under a general law of a state, it is usually effected by written articles duly executed by the corporators. The manner of effecting such organization must conform, however, in details, to the terms of the general

law of the state in which the application for a charter is made.

8. Name of corporation. Every corporation must have a distinctive name, and Presbyterian churches when choosing a name should be careful to insert the word "Presbyterian" in such name.

9. Trust to be named in charter. It is suggested that in all articles of association and charters for Presbyterian churches, the following or equivalent words be inserted: "Formed for the purpose of the worship of Almighty God and instruction in the Christian religion, according to the Confession of Faith, Form of Government, Book of Discipline, and Directory for Worship, of the Presbyterian Church in the United States of America."

10. Filing certificates. In most of the states articles are required to be filed and recorded with specified officers of the law, and certificates of incorporation or certified copies of the articles are issued thereupon.

11. Personnel of the corporation. The personnel of any particular church corporation depends upon the law of the particular state in which the corporation exists. In many states it includes all the members of the ecclesiastical body, in others it is composed of trustees elected by the church, and in a few it may consist of a single person. In certain states the laws provide that deacons or elders may be chosen as trustees.

12. Members of the corporation. In several of the states male persons only can be corporators, and in all the states citizenship or declaration of an intention of acquiring citizenship, is a necessary qualification. The statutes of each state must be consulted for the details.

13. Officers. The officers of a religious corporation are usually designated in the statute law, and are ordinarily a president, secretary, and treasurer. The pastor and other church officers are not, as such, officers of the corporation.

14. Meetings. The number and places of the meetings of the corporation are ordinarily indicated in the statute law or in the by-laws of the corporation itself. See p. 331.

15. Deliverances on voters.

a. Noncommunicants. "That it is the right of each one of our congregations, under the Constitution of the Church, to determine by rule the qualifications of non-communicants who are contributors to church expenses, as voters in the election of pastors." (Minutes G. A., 1897, p. 138.)

b. Lists of voters. "*Resolved*, That the rolls of communicant members in good standing in the possession of the clerks of Sessions, and the lists of regular contributors in the possession of the secretary or treasurer of the Board of Trustees, shall be the authoritative lists of voters at church and congregational meetings." (Minutes G. A., 1897, p. 139.) See pp. 208, 241; also p. 331.

c. Rights of communicants. "*Resolved*, That neither the presiding officers of church or congregational meetings, nor the Sessions of churches, possess the power to deprive communicant members in good standing of their right to vote at meetings of the church or of the congregation, except by due process of law in accordance with the provisions of the Book of Discipline." (Minutes G. A., 1897, p. 139.)

d. Trustees. "*Resolved*, That the voters in the congregations under the care of this General Assembly, at elections for trustees or other persons to manage the temporal affairs, shall be the communicant members in good standing, and, in addition, such other persons as contribute by regular payments at stated periods to the support and necessary expenses of the congregation in accordance with its rules; *provided*, that nothing in this regulation shall be valid which contravenes the provisions of the laws of any of the States, of the United States, or of special church charters." (Minutes, G. A., 1897, p. 139.)

16. By-laws. Each corporation should adopt by-laws for the regulation of its affairs, prescribing the times of meeting, etc. See for suggestions, p. 328.

17. Life of a corporation. In some of the states the life or duration of a corporation is limited by law. If there be no legal limit, the corporation is perpetual. The life of a corporation dates from its organization, and not from the time it begins to do business.

18. Alteration and repeal of charters. The general laws, under which corporations can now be formed in the great majority of the states, contain provisions authorizing the legislatures to alter, amend, or repeal any charter granted.

19. Special charters. Wherever churches or religious corporations are in possession of special charters, granted by acts of legislatures, and when such charters contain no clause permitting the legislatures to alter, amend, or revoke, it is advised that such be not surrendered. Their irrepealability is a feature of decided value.

20. Caution as to legal requirements. Charters or other instruments of incorporation should be secured only by the advice and under the guidance of competent legal counsel, and care should be taken to comply with the requirements of the next caption.

21. Charters to be in conformity with Presbyterian law. "Considering that it is necessary to the due and orderly maintenance of the Constitution of the Presbyterian Church in its various provisions, that care be taken, in obtaining legal enactments of a secular kind, that they be so formed as not to come in conflict with any such provisions; and whereas, it is known, that instances have existed, and probably do still exist, in which the charters of churches, and perhaps other legal instruments, are so framed that the laws of the Church and the laws of the land are not reconcilable with each other; therefore

"*Resolved*, That the General Assembly earnestly recom-

mend it to all the congregations under their supervision, that in resorting to the legislatures or tribunals of our country, they use the utmost care to ask nothing which, if granted, will in any respect contravene the principles or order of our Church; and in any cases in which civil enactments, heretofore obtained, do militate with any of the principles or order of our Church, they endeavor, as soon as possible, to obtain the repeal or modification of such enactments, so as to make them consistent with the ecclesiastical order and principles of the Presbyterian Church." (Minutes G. A., O. S., 1838, p. 26.)

2. Church Property.—Modes of Holding.

While the provisions of the statute laws for the holding of the property of religious societies or churches differ greatly in the several states in matters of detail, only five general methods are in use, viz.:

1. Church as the corporation. Where the churches themselves become corporations upon the execution and filing of articles of association, or by securing charters in accordance with law, as in such states as Indiana and Pennsylvania.

2. Trustees as the corporation. Where the churches are authorized to elect trustees, said trustees being constituted the corporation, as in such states as Maryland, Montana, and New Jersey.

3. Trustees appointed by the courts. Where, as in Virginia and West Virginia, trustees are appointed by the courts for the churches, in order to secure their property rights.

4. Corporation, sole. Where, as in the Roman Catholic Church, the property is held by the bishop. Delaware has legislation prohibiting this method of holding church property. In Oregon, however, special legislation has been secured, permitting this method.

5. Individual trustees. Where members of the congregation, three or more in number, are appointed to hold the property, and are legally the trustees. Unincorporated churches, wherever located, will be protected, as a rule, in their property rights by the courts. It is advised that all such churches take steps, where possible, to hold their property by corporations, and that in the drafting of charters, of articles and of by-laws, the aid of competent counsel be secured.

6. All church property is a trust. Whether the property of churches be held by corporations or by individual trustees, whatever the method, the property is in law a trust, and the civil courts will protect that trust. See under "Judicial Decisions," p. 325.

II. Officers.

1. General Statement.

The Constitutional provisions expressive of the authority and duties of Church officers under the Presbyterian System are found chiefly in the Form of Government—for bishops and pastors in Chapter IV, for ruling elders in Chapter V, for deacons in Chapter VI, and moderators in Chapter XIX, and for clerks in Chapter XX. Provisions connected with the office of the ministry are also found in the Confession of Faith, the Larger Catechism, and the Directory for Worship. The authority and duties of ruling elders are given in detail in this Manual. Bishops or pastors, and moderators of Church judicatories, are the only officers vested directly by the Constitution with power to carry out certain of the functions of their respective offices. All other officers are dependent for their authority to act in any matter, upon the judicatories of which they are members.

2. Subscription to the Standards.

The question of the obligations involved in subscription to the Standards of the Presbyterian Church, by persons

chosen to office, is of great importance. The terms of subscription are found for ruling elders and deacons in Chapter XIII, Section 4, of the Form of Government, and for ministers in Chapter XV, Section 12, of the same instrument. This present statement is intended simply to set forth principles and results, and does not attempt to develop the processes by which the results are obtained. An exhibit of the history and argument of the subject would require more space than is here available. The question is dealt with from two viewpoints: first, that of fundamental principles affecting the Constitution; second, that of the terms of subscription.

3. Principles Relating to Church Officers.

1. The offices in the Church are of divine appointment. "Our blessed Saviour, for the edification of the visible Church, which is his body, hath appointed officers, not only to preach the gospel *and administer the Sacraments;* but also to exercise discipline." (F. G., Ch. I, § 3.) "The character, qualifications, and authority of Church officers, are laid down in the Holy Scriptures, as well as the proper method of their investiture and institution." (F. G., Ch. I, § 6.) See also the other sections under this head.

2. The perpetual officers of the Church are bishops or pastors, ruling elders, and deacons. "The ordinary and perpetual officers in the church, are Bishops or Pastors; the representatives of the people, usually styled Ruling Elders; and Deacons." (F. G., Ch. III, § 2.)

3. All bishops or pastors are equal. The Presbyterian government admits of no division of ministers of the gospel into different classes or orders. Ministers possess equal authority and rank. The only bishops known to the Church are the pastors or bishops of particular churches, called parochial bishops to distinguish them from prelatical or diocesan bishops. (See F. G., Ch. IV.)

4. All who are teachers are to be sound in the faith. It is "necessary to make effectual provision, that all who are admitted as teachers, be sound in the faith." (F. G., Ch. I, § 5.) "No opinion can be either more pernicious or more absurd, than that which brings truth and falsehood upon a level, and represents it as of no consequence what a man's opinions are." (F. G., Ch. I, § 4.)

5. The election of local officers is in the particular church. "That though the character, qualifications, and authority of Church officers, are laid down in the Holy Scriptures, as well as the proper method of their investiture and institution; yet the election of the persons to the exercise of this authority, in any particular society, is in that society." (F. G., Ch. I, § 6.)

I. THE PASTOR.

1. General Statement.

1. The functions of the ministerial office. The Form of Government, Chapter IV, declares that "the pastoral office is the first in the Church, both for dignity and usefulness"; and then proceeds to note the several functions or duties of the office as indicated by the different names given in Scripture to the incumbent, viz.: bishop, pastor, minister, presbyter or elder, angel of the Church, ambassador, steward of the mysteries of God.

2. The ministerial elder. Only one of the functions or duties indicated by the names just given is shared by the minister with the officer known technically as the ruling elder, viz., that of rule; and in connection with this duty, the pastor is specifically designated as an elder, in the words, "As it is his duty to be grave and prudent, and an example of the flock, and to govern well in the house and kingdom of Christ, he is termed presbyter or elder." (F. G., Ch. IV.) The minister, therefore, according to the terms of the Form of Government, is not an elder who

has been set apart to teach, but an officer ordained to perform several duties, one of which is to govern in the church. It is by virtue of this right to govern that he is a member of Church courts. The name teaching elder, sometimes applied to him, may lead to misconception of his true character as a Church officer. He is not an elder who teaches, but is both preacher and elder, and is usually in addition a pastor or bishop. His work as a preacher is not a function of the eldership, but the work of an elder is one of the functions of the ministry. The chief duty of the minister is the preaching of the Word, and to that duty others are added, among them the duty of government. If a distinctive name must be given the minister as an elder, it should be not teaching elder, but ministerial elder.

3. Primacy of the pastor in the Session. The official "dignity and usefulness" of the minister as an elder is shown also by the fact that when installed as pastor, he is by virtue of that relation, and of the choice of the people, the chief of the elders of the particular church in which he governs, being the bishop of the congregation and the moderator of the Session. This honor conferred upon the minister as an elder, over other elders, is official, not personal. A chief elder or moderator there must be in the Session, and the Church in its Constitution has designated the minister as such.

4. Distinction between ministerial and judicatorial acts. The fact that the ministry is a distinct office from that of the ruling eldership finds additional illustration in the assignment to ministers by the law of the Church of executive duties connected with certain acts of Church courts. All members of Session, for instance, whether ministers or ruling elders, participate equally in the deliberations and acts which result in the decision to receive to communion unbaptized applicants for Church membership. Such deliberations and acts are the exercise of conjoint authority in government. But while the

Constitution confers power upon all members of Session in the reception of Church members, it does not permit ruling elders to baptize. Baptism is not a judicatorial but a ministerial act. What is true of baptism is true also of the administration of the Lord's Supper, of the preaching of the Word, and of ordination. The difference between judicatorial and ministerial acts is applicable in all the Church courts. Ruling elders in the several Church courts are entitled equally with ministers to act in purely judicatorial matters, but they are not impowered to perform ministerial duties. If care be taken to apply in practice the difference between judicatorial and ministerial acts, the distinction between the minister as a preacher and the minister as an elder will be clearly seen; much of misunderstanding will be avoided as to the nature and functions of the ruling eldership; both the ministerial elder and the ruling elder will appreciate more fully their common duties as elders; and the efficiency and prosperity of the Church will be greatly promoted.

5. Equality of ministerial and ruling elders in all judicatories. Apart from the primacy in the Session, the minister as an elder and as a member of Church courts possesses no judicatorial rights or powers which are not equally possessed by the ruling elder. Whether in Session, Presbytery, Synod, or General Assembly, all elders are on an equality.

6. Minister ineligible as a ruling elder. The distinction between the ministerial and the ruling elder is also emphasized by the fact that "an ordained minister cannot be also a ruling elder in a congregation." Such is the law of the Church, and the sole exception made does but prove the rule. That exception provides that "on foreign missionary ground it may become expedient for a minister to perform temporarily the function of a ruling elder, without being specially set apart to the office." (Minutes G. A., 1871, p. 546.) A minister can be a ruler

in a particular church only when installed as pastor, or when appointed by the Presbytery as moderator of Session.

7. The minister as a ministerial elder is a representative of the Church at large. Ruling elders are always chosen from the members of a particular church, and are the representatives of the people of such church. Ministerial elders are, by virtue of their office, members of Presbytery, and both in that judicatory, and when exercising authority in particular churches, are the representatives of the Church at large.

2. Titles and Responsibilities.

1. Dignity of the pastor's office. The pastor fills the first office in the church, both for dignity and usefulness. (F. G., Ch. IV.) He should always be treated, therefore, with the respect due to his high office.

2. Names and duties. "The person who fills this office hath, in Scripture, obtained different names expressive of his various duties":

Bishop. "As he has the oversight of the flock of Christ, he is termed bishop."

Pastor. "As he feeds them with spiritual food, he is termed pastor."

Minister. "As he serves Christ in his Church, he is termed minister."

Presbyter or elder. "As it his duty to be grave and prudent, and an example of the flock, and to govern well in the house and kingdom of Christ, he is termed presbyter or elder." See above, pp. 228–231.

Angel of the church. "As he is the messenger of God, he is termed the angel of the church."

Ambassador. "As he is sent to declare the will of God to sinners, and to beseech them to be reconciled to God through Christ, he is termed ambassador."

Steward of the mysteries. "And, as he dispenses the manifold grace of God, and the ordinances instituted by

Christ, he is termed steward of the mysteries of God." (F. G., Ch. IV.)

3. Responsibility to Presbytery. The pastor is not a member of the particular church over which he is bishop, and is not responsible to the Session as to matters of conduct. His responsibility is to the Presbytery of which he is a member.

4. The pulpit in charge of pastor. The pulpit of a church having a pastor is not by the Constitution within the authority of the Session. The Presbytery possesses the power of original control over the pulpit. This is shown by the rule which requires, when a church is vacant, the Session to request power from Presbytery to supply the pulpit. It is also shown by the fact that the Presbytery is the body which installs a pastor over a church. By the act of installation the pulpit is placed by Presbytery in charge of the pastor, and he is responsible therefor solely to that judicatory. He may introduce into the pulpit other ministers in his discretion, subject to this responsibility. "It is expedient that no person be introduced to preach in any of the churches under our care, unless by the consent of the pastor or church Session." (D. W., Ch. VII, § 6.)

5. Moderator of the Session. "The pastor of the congregation shall always be the moderator of the Session." (F. G., Ch. IX, § 3.) See for further particulars in connection with the moderator of Session, p. 262.

6. Member of Session. "The church Session consists of the pastor or pastors and ruling elders, of a particular congregation." (F. G., Ch. IX, § 1.) This section makes the pastor an integral part of the church Session, and confers upon him every right and requires of him every duty connected with such membership.

7. Pastor and Session meetings. See p. 52.

8. Decisions at Session meetings. The decisions of the pastor as moderator of the Session, in all matters Constitutionally within his authority, cannot be appealed

from by the other members in the Session. This practice is based upon the fact that the pastor is a member of the Presbytery, and the representative of that body. If any decision made by him as moderator is unsatisfactory, while an elder may dissent or protest, the only prompt way of securing redress is to file a complaint with the Presbytery. See, also, "Moderator," pp. 261–264.

The decisions of the moderator of Session referred to in this caption are connected with what is known as legislative procedure, i. e., decisions as to the meaning and force of questions of order. The pastor cannot decide as to the meaning or force of any part of the Constitution of the Church. That is the province of the Session as a judicatory, subject to the Presbytery's power of review.

9. Ordination of officers. The ordination of ruling elders and deacons is to be performed by the pastor of the church, or, if the church is vacant, by some other minister invited for the purpose. "The minister shall proceed to set apart the candidate, by prayer, to the office of ruling elder (or deacon, as the case may be), and shall give to him (her) and to the congregation, an exhortation suited to the occasion." (F. G., Ch. XIII, § 4.) See also p. 286.

10. Relation to other church officers. The relation in general of the pastor to the other church officers is as follows: (1) He governs in the particular church in conjunction with the ruling elders; (2) he has a part in the work of the deacons in the care of the poor, and in the distribution of the charities of the church; (3) he has the individual oversight of church officers as well as church members; and (4) he is the bishop of the congregation. See p. 231.

11. Counsel by elders. It is both the privilege and duty of ruling elders to counsel and advise with the pastor upon all matters. While the pastor is in certain matters independent of the Session, both he and the elders should abide together in the spirit of harmony, counsel with one another frequently, accept advice readily, and thus always

seek to secure the highest welfare of the church which is under their joint care. See "Duties" of elders, p. 290.

12. Pastor and Sacraments. See p. 83.

13. Pastor and public services. See for the rights and duties of a pastor in connection with the ordinances of public worship, p. 103. In the Scotch Presbyterian churches the power over public worship is vested in the minister and the Presbytery, the Session having only regulative authority.

14. Pastor and offerings. See p. 111.

15. Pastor and the finances. The pastor should not engage in the financial affairs of the congregation, except in cases where his coöperation is sought by the officers of the church, or where he is made by the civil law a member of the corporation. See p. 222.

16. Pastor and the congregation. The pastor, by virtue of his election to office by both communicants and noncommunicants, is the pastor of the entire congregation. This is recognized directly in Form of Government, Chapter XVI, Section 7, where it is declared that "it is highly becoming that after the solemnity of the installation, at least the elders, and those appointed to take care of the temporal concerns of that church, should come forward to *their* pastor, and give him their right hand in token of cordial reception and affectionate regard." In the majority of our churches the temporal concerns are committed to officers known as trustees, and whether they are communicants or noncommunicants, the minister duly installed by Presbytery is recognized above as their pastor. The pastoral relation is as wide in its reach as the bounds of the congregation. See Min. G. A., 1897, p. 139

17. Pastor elect. The pastor elect is not stated supply (see p. 128); neither is he moderator of Session *ex officio*. See p. 265.

18. Collegiate pastor. A collegiate pastor is a minister who has been regularly called by the people of a congregation and installed by the Presbytery, along with

another minister, as pastor. He possesses equal authority, both in the Session and in the congregation, with his fellow pastor. This form of pastorate is found in our Presbyterian system only in collegiate churches. (F. G. Ch. IX, § 5.) For collegiate church, see p. 129.

19. Pastor emeritus. This relation is sometimes constituted by a vote of a congregation at a regularly called meeting, in the case of a minister who has rendered long service to it, and has become incapacitated for further service. The action should receive the concurrence of Presbytery. A pastor emeritus has no authority in any matter within the church, and the congregation may or may not vote him a salary.

20. Associate pastor or assistant pastor. He may be a licentiate or an ordained minister. He is appointed ordinarily by the pastor, with the consent of the church. He is not a member of the Session, and his duties are designated by the pastor, to whom he is immediately responsible.

21. Salary of pastor. The call to a pastor by a church is a contract to which contract there are three parties, the Presbytery, the congregation called in regular meeting by the Session, and the pastor. A Board of Trustees cannot make any change in said contract, for it is not one of the parties. If any change is made in the terms, it can be only made by the pastor and the congregation and the Presbytery. If the congregation is unable to continue the salary promised in the call, a straightforward method of securing a reduction in the amount should be adopted. The devices sometimes employed to secure a reduction in the salary, (1) by decreasing the salary of the pastor without his consent or (2) by withholding the payment of pew rents, are illegal as well as improper. The matter should be adjusted by conference with the pastor, and with the Presbytery. (See F. G., Ch. XV, § 9.)

22. Competent worldly maintenance, what it is. At installation a congregation is required to answer to the

following question concerning the minister: "And do you engage to continue to him, while he is your pastor, that competent worldly maintenance which you have promised; and whatever else you may see needful for the honor of religion, and his comfort among you?" (F. G., Ch. XV, § 13.) The meaning of this question is in part shown by referring to the words in the call, preceding the amount of salary promised, "that you may be free from worldly cares and avocations." There can be no doubt that if the salary be insufficient to free the pastor from "worldly cares and avocations," or if he be subjected by providential dispensation to unavoidable expenses, it is the duty of the congregation to endeavor to fulfil the obligation taken at installation as indicated above. See, also, under "Form of call," p. 244.

3. Choice and Election of a Pastor.

a. Preliminary Steps.

1. When a church becomes vacant. "Every Presbytery shall assign to a committee the supervision of the vacant churches within its bounds. This committee shall, in consultation with the representatives of the vacant church, nominate a moderator for the Session, and arrange for the supply of the pulpit. The committee and the church shall also coöperate in seeking and securing a pastor." (F. G., Ch. XXI, § 2.)

2. Committee on Pastor. It is the custom in some congregations, when they are vacant, for the Session to call a meeting of the congregation, and to request the appointment of a committee to have charge of the matter of securing a pastor. This committee may consist of three, six, or more persons, and a majority of its members should be elders and trustees. This committee will have entire charge of the correspondence on the subject, on the part of the congregation, and when it is ready to report, the Session should at once convene the congregation.

3. Action by the Session. It is the usage in many churches for the Session to conduct all the preliminary proceedings which have in view the call of a minister to the pastorate. While the power of Session in this respect cannot be questioned, it is advisable for its members to seek counsel of other persons in the congregation; for the reason that the congregation, and not the Session, have the power of final decision in the election of pastor. See, also, p. 128.

4. Consultation with Presbytery, etc. It is suggested that the Committee on Pastor or the Session make due inquiry of the chairman of the Presbyterial Committee on Vacant Churches, or of other well-informed persons, with reference to ministers who are under consideration as possible candidates for a given pastorate. And the moderator of Session, appointed by the Presbytery, should always, when possible, be consulted in the matter.

b. The Congregational Meeting.

1. Session to call the meeting. "When any probationer shall have preached so much to the satisfaction of any congregation, as that the people appear prepared to elect a pastor, the Session shall take measures to convene them for this purpose." (F. G., Ch. XV, § 1.)

2. Petition by a majority is mandatory. "It shall always be a duty of the Session to convene them, when a majority of the persons entitled to vote in the case, shall, by a petition, request that a meeting may be called." (F. G., Ch. XV, § 1.) The majority referred to in this section is a majority of the qualified voters in the congregation. See "Qualifications of voters," p. 240.

3. Complaint to Presbytery for nonaction. "It is the privilege of the people, or of any portion of them, to complain to the Presbytery when they think that the Session, after being suitably requested, neglect or refuse to convene the congregation to elect a pastor." (Minutes G. A., 1814, p. 559.) See pp. 211, 212.

4. Presbytery can act upon complaint. "It belongs to the Presbyteries to take cognizance of the proceedings of Sessions and congregations in the important concern of settling pastors, and to adopt the most effectual measures on the one hand to prevent all undue delay by the Session or the people, and on the other hand to prevent all precipitancy in the settlement of any minister, or the adoption of any system of proceedings in the congregation inconsistent with the real and permanent edification of the people." (Minutes G. A., 1814, p. 559.)

5. Trustees and congregational meeting. The meeting of the congregation for the election of a pastor is a meeting of the ecclesiastical body. The incorporation of a congregation cannot alter this fact. The congregation is primarily a voluntary religious organization, and has its own rules, which govern pastoral elections. These rules, further, are a part of the Constitution of the denomination. The trustees as officers of the corporation, or as the corporation, have no relation, ordinarily, therefore, to the meeting for the election of a pastor, except such as is sustained by other members of the congregation. In some cases of special charters, however, it may be necessary for the trustees to unite with the Session in calling the meeting.

6. Public notice must be given. "On a Lord's Day, immediately after public worship, it shall be intimated from the pulpit, that all the members of the congregation are requested to meet on ———— ensuing, at the church, or usual place for holding public worship; then and there, if it be agreeable to them, to proceed to the election of a pastor for that congregation." (F. G., Ch. XV, § 3.)

It is suggested that notice of the election of a pastor be given two Sabbaths in succession; and where the church is an incorporated body, it may be necessary to comply with the provisions of the civil law, which in many States require ten days' notice.

7. Minister ordinarily to be moderator. "When such a meeting is intended, the Session shall solicit the presence and counsel of some neighboring minister to assist them in conducting the election contemplated, unless highly inconvenient on account of distance; in which case they may proceed without such assistance." (F. G., Ch. XV, § 2.) Usually the minister to preside should be the moderator appointed by Presbytery. The Session, however, can invite any other "neighboring minister" to moderate the meeting. When a minister cannot be secured, the Session may appoint one of their own number to moderate the meeting, or they are at liberty to suggest some other member of the church. (p. 263.)

8. Clerk of meeting. It is proper at a meeting convened for the election of a pastor that the clerk of Session should be the clerk of the meeting. One reason for this choice is the fact that the proceedings of the church are required to be entered on the minutes of Session.

9. Rules of business. The rules of business of all congregational meetings, whether held for the election of pastor or for other business, are the General Rules for Judicatories, in so far as the same are applicable. See p. 335.

10. Rulings of the moderator. Where the moderator of a congregational meeting is a minister, an appeal against his rulings cannot be taken to said congregational meeting. When appeals from the decisions of the chair are made, the moderator should direct, therefore, the clerk to enter said appeals, as exceptions to his rulings, upon the minutes of the meeting, and the same should be reported for adjudication to the Presbytery.

11. Order of procedure. "On the day appointed, the minister invited to preside, if present, shall, if it be deemed expedient, preach a sermon;" after which, if the way be clear, as shall be expressed by a majority of voices, he shall proceed to take votes accordingly. (F. G., Ch. XV, § 4.) If the sermon is omitted, devotional services of a

general nature should be held. For "Order or Steps," see p. 245.

12. Qualifications of voters. "In this election, no person shall be entitled to vote who refuses to submit to the censures of the Church, . . . or who does not contribute his just proportion, according to his own engagements, or the rules of that congregation, to all its necessary expenses." (F. G., Ch. XV, § 4.)

"It is the judgment of the General Assembly that all members of the Church in full communion have the right to vote in the election of pastor in the congregation with which they are connected." (Minutes G. A., 1879, p. 630.) The "members of a congregation, not communicants, who regularly contribute their due proportion of the necessary expenses of the church and congregation," have "a right to vote in the election of a pastor." The civil power, however, frequently, either by statute or by decisions of courts, has established provisions governing the qualifications of voters at congregational meetings which deal with secular matters. The meeting of the congregation to elect a pastor is, however, a meeting dealing with things ecclesiastical. It follows as a natural consequence, therefore, that the Constitution of the Church alone governs the matter of determining who of the communicants shall be qualified electors. No state has ever attempted to prescribe to voluntary associations, such as religious societies, the rules by which they are to be governed. On the other hand, legislation and the decisions of courts unite to make denominational law the law governing the proceedings of all ecclesiastical meetings. A congregation, further, by the Constitution of the Church, has the right to determine who among the noncommunicants shall be voters. See "Congregational rules," below. Ordinarily, the qualified electors, therefore, in Presbyterian congregations are:

(1) All communicant members in good standing;

(2) Noncommunicants recognized as regular contributors to church support. See captions immediately below.

13. Congregational rules as to electors. Form of Government, Chapter XV, Section 4, refers to the "rules of the congregation" as determining who of the noncommunicants shall be electors. This appears to vest in the congregation itself the power to determine whether noncommunicants shall be electors or not. "It is the right of each one of our congregations, under the Constitution of the Church, to determine by rule the qualifications of noncommunicants who are contributors to church expenses as voters in the election of pastors." (Minutes G. A., 1897, p. 139.)

14. Roll of qualified voters. Inasmuch as each church, subject to the provisions of the civil law, is empowered by the Constitution of the Church to determine what persons, being noncommunicants, may vote at congregational meetings, it is suggested that the trustees be directed to prepare a list of pewholders and other persons, being noncommunicants, who may be regarded as regular contributors to the expenses of the church. Such a list, along with the list of communicant members, would provide a complete and legal roll of electors in choosing a pastor. See pp. 208, 209, and 223.

15. Report of Committee on Pastor. If the congregation has appointed a Committee on Pastor, as suggested in caption No. 2, p. 236, the report of the committee, if it contains a nomination, has the precedence of all other nominations, and should be acted upon first by the congregation, either in the affirmative or the negative. A vote in the negative on the report would leave the matter of nominations in the hands of the congregational meeting.

16. Nominations. Where the congregation has not appointed a Committee on Pastor (see caption No. 2, p. 236), any member of the congregation present at the meeting may nominate a minister as a candidate for the

pastorate of the church. The Session may also suggest a name, but it is recommended that actual nominations be made by one of the elders in his capacity as a church member. It is well to have due regard to the rights of church members in this matter.

17. Tellers. The moderator should appoint two or more persons as tellers, to distribute the blanks for the ballots, to take up the ballots, and to count the vote. The announcement of the result is to be made by the moderator, not by the tellers.

18. Voting, method of. While a method of taking the vote for pastor is not specified in the Constitution, yet the vote should be by ballot, in order to avoid any possible cause of discontent, and also to secure a full and absolutely free vote. See p. 285, below.

19. Large minority, action in case of. "Should it appear that a large minority of the people are averse from the candidate who has a majority of votes, and cannot be induced to concur in the call, the presiding minister shall endeavor to dissuade the congregation from prosecuting it further." See, also, "Certificate," p. 244.

20. Rights of the majority. "If the majority shall insist upon their right to call a pastor, the presiding minister, in that case, after using his utmost endeavors to persuade the congregation to unanimity, shall proceed to draw a call, in due form, and to have it subscribed by the electors; certifying at the same time in writing the number and circumstances of those who do not concur in the call: all of which proceedings shall be laid before the Presbytery, together with the call." (F. G., Ch. XV, § 5.) See caption No. 28, p. 244.

21. Announcement by the moderator. The moderator should formally announce, at the proper time, the result of the election in some such form as the following: "I hereby announce that the Rev. A. B. has been duly chosen as pastor of this church by a unanimous or majority vote, and in view of the fact I shall now proceed to

prepare the call in due form." After which the blanks under the call should be filled by vote. See "Payments," and "Vacation," below.

22. Vacation. It is suggested under caption No. 26, below, that a clause be inserted in the call specifying the length of vacation to be granted to the pastor. It is advised that this be always done at the congregational meeting, for it is a matter which legally lies within the power of the congregation. If the provision is inserted in the call, it may be in the following words: "We also grant you a vacation of ———— in each year."

23. Payments of salary. The congregation should also determine whether the salary should be paid in weekly or monthly installments, and the word indicative of the decision reached should be inserted in the proper place in the call.

24. Commissioners. Two persons should be appointed by the congregation as commissioners to prosecute the call before the Presbytery At least one of these should be a member of the Session.

25. Subscription and certification of the call. The call may be subscribed by the electors. (F. G., Ch. XV, § 5.) "But if any congregation shall choose to subscribe their call by their elders and deacons, or by their trustees, or by a select committee, they shall be at liberty to do so. But it shall, in such case, be fully certified to the Presbytery, by the minister, or other person who presided, that the persons signing have been appointed, for that purpose by a public vote of the congregation; and that the call has been, in all other respects, prepared as above directed." (F. G., Ch. XV, § 7.) If a committee is appointed to sign the call, some of its members may be women, if the congregation so choose.

26. Presiding officer to prepare the call. It is suggested that the call be prepared beforehand by the presiding officer, blanks being left for the insertion of

the name of the pastor elect, the amount of his salary, and the length of vacation voted by the congregation.

27. Form of call. "The call and certification thereof shall be in the following or like form: viz.

The Congregation of ———— being, on sufficient grounds, well satisfied of the ministerial qualifications of you, ———— and having good hopes from our past experience of your labors, that your ministrations in the Gospel will be profitable to our spiritual interests, do earnestly call and desire you to undertake the pastoral office in said congregation; promising you in the discharge of your duty all proper support, encouragement and obedience in the Lord. And that you may be free from worldly cares and avocations, we promise and oblige ourselves to pay you the sum of ———— yearly in regular ———— payments during the time of your being and continuing the regular pastor of this church, together with free use of the manse and ———— vacation each year. And we agree to pay or to continue to pay monthly or quarterly in advance to the Board of Pensions a sum equivalent to seven and one half per cent of said salary.

In testimony whereof, we have respectively subscribed our names this —— day of ———— A.D.———— at the request and on behalf of the congregation.

_____ _____

_____ _____

I, ———— hereby certify that I presided over a duly called and regular meeting of the congregation of ———— held ———— for the election of a pastor; that the Rev. ———— was elected pastor by a ———— vote of said congregation; that the persons whose names are subscribed to the call were appointed for the purpose by the congregation that ———— were appointed commissioners to prosecute the call, and that the call was in all respects

prepared in accordance with the requirements of the Constitution of the Presbyterian Church in the U. S. A.

(F. of G., Ch. XV, § 6.) Moderator of Meeting."

28. Certificate as to minority. If there be a considerable minority, the number and circumstances of the minority should be stated very definitely in an additional moderator's certificate.

29. Proceedings to be reported to the Session. "All proceedings of the church shall be reported to, and reviewed by, the Session, and by its order incorporated with its records." (B. D., Ch. IX, § 72.)

30. Letter to the pastor elect. The moderator of the meeting should address a letter of notification to the pastor elect, stating all the circumstances connected with the call.

31. The call a contract. The call of a pastor is a contract, between him and the Presbytery, and the congregation. Presbytery possesses the power to approve or disapprove the call, and on approval to install the pastor. Neither the Session nor the trustees, as bodies, have power to modify the terms of the call. Such modifications require the joint consent of pastor, congregation, and Presbytery to make them legal. See p. 235, 21.

c. Order or Steps at Congregational Meeting.

(1) Sermon if expedient, but in any event devotional services conducted by the moderator. See p. 239.

(2) Reading of the notice of the meeting by the moderator. See p. 238.

(3) Announcement by the moderator that the clerk of Session will act as secretary. See p. 239.

(4) Announcement by the moderator of his purpose to take a vote as directed on the resolution contained in item No. 6. See p. 239.

(5) Announcement by moderator of the qualifications of voters. See p. 240.

(6) Discussion of and vote upon the resolution: "Resolved, That we do now proceed to the election of a pastor." See p. 239.

(7) If the preceding resolution is carried, reception of report of Committee on Pastor, and nomination of candidates. See p. 241.

(8) Appointment of tellers by the moderator. See p. 242.

(9) Election, and it is advisable in all cases that the vote be taken by ballot. By so doing a frequent cause of discontent will be avoided. See p. 242.

(10) If a large minority vote against a candidate, effort by the minister to dissuade the congregation from proceeding further. See p. 242.

(11) If the majority, however, insist upon their rights in the case, or the minority be small, announcement of the fact by the moderator that A. B. has been duly chosen pastor. See p. 242.

(12) Vote on the salary and allowance for vacation. See p. 243.

(13) Appointment of the persons to sign the call. See p. 243.

(14) Appointment of commissioners to prosecute the call. See p. 243.

(15) Formal preparation and signing of the call. See p. 243.

(16) Certificate of the moderator as to the regularity of the proceedings. See p. 244.

(17) Additional certificate, if required, as to minority. See p. 244.

(18) Exceptions to the rulings of the minister, to be noted by the clerk in the minutes. See p. 239.

(19) Direction that the minutes be forwarded to the Session. See p. 245.

(20) Prayer and benediction.

4. Presbytery and the Pastoral Call

1. Notification to the Presbytery. The minister who presided at the congregational meeting, and also the clerk of Session, should notify the Presbytery through its stated clerk, of the fact of the call, provided circumstances favor its prosecution.

2. Meeting of the Presbytery. The call may be presented at a regular meeting of the Presbytery, or a special meeting of the judicatory may be called for the purpose. If the latter course is pursued, a petition should be sent to the moderator of Presbytery by the Session, signed by two ministers and by two ruling elders of different congregations in the Presbytery, requesting that a special meeting be called, if the way be clear, for the consideration of the call of the church of ———— to the Rev. A. B. to be its pastor, and to transact all other matters connected therewith. The call for the meeting should also suggest the date and place. See for further particulars, Form of Government, Chapter XV, Section 10.

3. Call must be presented to Presbytery. "The call, thus prepared, shall be presented to the Presbytery, under whose care the person called shall be; that, if the Presbytery think it expedient to present the call to him, it may be accordingly presented: and no minister or candidate shall receive a call but through the hands of the Presbytery." (F. G., Ch. XV, § 9.) "No bishop shall be translated from one church to another, nor shall he receive any call for that purpose, but by the permission of the Presbytery." (F. G., Ch. XVI, § 1.)

4. Procedure with licentiate of another Presbytery. "If the call be to a licentiate of another Presbytery, in that case the commissioners deputed from the congregation to prosecute the call, shall produce, to that judicatory, a certificate from their own Presbytery, regularly attested by the moderator and clerk, that the call has been laid before them, and that it is in order. If that Presbytery present the call to their licentiate, and he be

disposed to accept it, they shall then dismiss him from their jurisdiction, and require him to repair to that Presbytery, into the bounds of which he is called; and there to submit himself to the usual trials preparatory to ordination." (F. G., Ch. XV, § 10.)

5. Procedure with a minister of the same Presbytery. "Any church, desiring to call a settled minister from his present charge, shall, by commissioners properly authorized, represent to the Presbytery the ground on which they plead his removal. The Presbytery, having maturely considered their plea, may, according as it appears more or less reasonable, either recommend to them to desist from prosecuting the call, or may order it to be delivered to the minister to whom it is directed. If the parties be not prepared to have the matter issued at that Presbytery, a written citation shall be given to the minister and his congregation, to appear before the Presbytery at their next meeting. This citation shall be read from the pulpit in that church, by a member of the Presbytery appointed for that purpose, immediately after public worship; so that at least two Sabbaths shall intervene betwixt the citation and the meeting of the Presbytery at which the cause of translation is to be considered. The presbytery being met, and having heard the parties, shall, upon the whole view of the case, either continue him in his former charge, or translate him, as they shall deem to be most for the peace and edification of the Church; or refer the whole affair to the Synod at their next meeting, for their advice and direction." (F. G., Ch. XVI, § 2.)

6. Procedure with a minister of another Presbytery. "When the congregation calling any settled minister is within the limits of another Presbytery, that congregation shall obtain leave from the Presbytery to which they belong, to apply to the Presbytery of which he is a member; and that Presbytery, having cited him and his congregation as before directed, shall proceed to hear and issue the cause. If they agree to the translation, they

shall release him from his present charge; and having given him proper testimonials, shall require him to repair to that Presbytery, within the bounds of which the congregation calling him lies, that the proper steps may be taken for his regular settlement in that congregation: and the Presbytery to which the congregation belongs, having received an authenticated certificate of his release, under the hand of the clerk of that Presbytery, shall proceed to install him in the congregation as soon as convenient. Provided always, that no bishop or pastor shall be translated without his own consent previously obtained." (F. G., Ch. XVI, § 3.)

7. Alternative method in the call of the minister of another Presbytery. It is customary, and is not contrary to Presbyterian usage, for the person called to be the pastor of a church, whether licentiate or minister, when he is a member of a Presbytery other than that in which said church is located, to obtain a letter of dismission from his own Presbytery to the Presbytery within whose bounds he expects to labor. His reception by the latter Presbytery can be synchronous with the presentation of the call. This course will greatly simplify the proceedings connected with the call, both for the church and the Presbyteries interested.

8. Commissioners to be in Presbytery. The commissioners to be appointed by the church to prosecute the call (see p. 243), should be present at the meeting of the Presbytery, when the call is under consideration. Prior to the placing of the call in the hands of the pastor elect, they should state to the Presbytery briefly the circumstances connected with the call.

9. Session to be represented. A member of the Session should be present as its representative at the meeting of Presbytery at which the call is considered, and it is customary to appoint him a member of the committee of Presbytery which reports upon the arrangements for the installation services.

10. Acceptance of the call. It is the usage, in connection with the consideration of a call, for the Presbytery first to vote upon the resolution, "*Resolved*, That the call be found in order." If this resolution is adopted, the further resolution is then adopted, "That the call be placed in the hands of the pastor elect." The moderator of Presbytery, then taking the call, requests the pastor elect to step forward, and, placing the call in his hands, asks the question, "Do you accept this call?" An affirmative response is followed by a motion for the appointment of a Committee of Arrangements. See caption No. 19, p. 252.

11. The call a petition for installment. "When a call shall be presented to any minister or candidate, it shall always be viewed as a sufficient petition from the people for his installment. The acceptance of a call, by a minister or candidate, shall always be considered as a request, on his part, to be installed at the same time." (F. G., Ch. XV, § 8.)

12. Veto power of the Presbytery. The Presbytery possesses the discretionary power to decline to place a call in the hands of a pastor elect, and that for any reasons which to it may appear to be sufficient. This power, however, should be exercised only in view of weighty considerations. Among such considerations that of salary is to be included. The Assembly has declared that "when a congregation and minister agree on the amount of salary to be paid and received, and both parties, being fully satisfied, request the pastoral relation to be constituted according to the order of the Presbyterian Church, Presbytery has the right to refuse to install, because, in their judgment, the salary is insufficient." (Minutes G. A., O. S., 1855, p. 272.)

13. Pastoral call incomplete without installation. The pastoral call duly signed is a contract, which can be enforced by due process of the civil law. As a contract, however, the courts have ruled that it is not a completed

agreement until after the installation of the pastor. For instance, the pastor elect of a certain church having declined installation for more than a year, and the relations between him and the congregation becoming unsatisfactory, he brought suit for his salary against the trustees. The court ruled that the Presbyterian Form of Government gave the people at the installation of the pastor the right to accept or to reject him, and that the exercise of this right in an affirmative way was necessary to the completion of the contract contained in the pastoral call. See, for the law of the Church, Form of Government, Chapter XV, Section 13, Questions Numbers 1 and 4. See, also, p. 235.

14. Installation to be insisted upon. "Whereas, it is commonly reported that in several of our Presbyteries the custom prevails, of permitting ministers, who have received calls from churches, to serve such churches, through a series of years, without installation; and whereas, such customs are manifestly inconsistent with the express requirements or implications of the Form of Government (Ch. XV, § 8, and Ch. XVI, § 3); therefore, *Resolved*, That all our Presbyteries be enjoined, to take order that as soon as possible after a licentiate or ordained minister has been called by a church, and the call has been approved and accepted, such person be installed as pastor of the church calling him." (Minutes G. A., 1886, p. 56.)

15. Presbytery may install by a committee. "When any minister is to be settled in a congregation, the installment, which consists in constituting a pastoral relation between him and the people of a particular church, may be performed either by the Presbytery, or by a committee appointed for that purpose, as may appear most expedient." (F. G., Ch. XVI, § 4.)

16. Ordination must be by the Presbytery. "Under the existing law of the Church, Presbyteries only are competent to ordain ministers." (Minutes G. A., 1882, p. 97.)

"Ordination either by a committee or a commission of Presbytery is contrary to the express provisions of Chapter XV, Section 12, of the Form of Government." (Minutes G. A., 1894, p. 76.)

17. Ordination and installation to be at the same time. "When a candidate shall be ordained in consequence of a call from any congregation, the Presbytery shall, at the same time, if practicable, install him pastor of that congregation." (F. G., Ch. XV, § 8.)

18. Ordination on the Sabbath discouraged. "It is not expedient that ordination should take place on the Sabbath, yet there may be cases in which urgent or peculiar circumstances may demand it. The Assembly, therefore, judges it best to leave it to the Presbyteries to act in this concern as they may judge that their duty requires." (Minutes G. A., 1821, p. 10.)

19. Committee to arrange for installation. After the acceptance of the call by the pastor elect, a committee is appointed by the Presbytery to report upon the arrangements for installation. This committee should include an elder from the church in which the installation is to be performed, and should report to Presbytery upon the following items of business: (1) appointment of committee to install (F. G., Ch. XVI, § 4); (2) the minister to preside (F. G., Ch. XVI, § 6); (3) the minister to preach the sermon (F. G., Ch. XVI, § 6); (4) the ministers to deliver the charges to the pastor and to the people (F. G., Ch. XVI, § 6); and (5) the date and place of the installation services (F. G., Ch. XVI, § 5). All Presbyteries should require that alternates shall be appointed to the principals who are to take part in the installation service.

20. Who may officiate at the installation services. Presbytery may appoint ministers who are members of other Presbyteries to deliver the sermon at installation or the charges. "The spirit of the directions of our Form of Government indicates that, in all ordinary cases, the charges should be given by members of the Presbytery,

recognizing, however, the episcopal power of the Presbytery to deal with special cases as discretion may direct." (Minutes G. A., 1893, p. 72.)

21. Time and notice. "A day shall be appointed for the installment at such time as may appear most convenient, and due notice thereof shall be given to the congregation." (F. G., Ch. XVI, § 5.) See under caption No. 18, p. 252.

5. The Installation Service.

1. Installation, committee of Presbytery, etc. See captions Nos. 15 to 21, pp. 251–253.

2. Installation, necessity of. See captions Nos. 13 and 14, p. 251.

3. Local arrangements. When the Presbytery has completed the arrangements for the installation of a pastor elect, the Session, having been informed by the ruling elder who was its representative, should take due action in the matter, recording the proceedings of Presbytery in brief upon its minutes. It should appoint, further, a committee to make the local arrangements for the installation services. Care should be taken to provide entertainment for the members of Presbytery appointed as the Committee of Installation, or for the Presbytery if an ordination is to take place, and also to prepare the church edifice in an appropriate manner; and the expenses connected with the services should be paid by the congregation.

4. Devotional exercises. Due attention should be given by the proper persons to the musical portion of the worship of God at installation services. If possible, other ministers than those appointed to preside and to deliver the charges should be assigned to the reading of the Scriptures and the offering of prayer. See "Order," caption No. 14, p. 257.

5. Sermon and statement of presiding minister. "When the Presbytery, or committee, shall be convened and constituted, on the day appointed, a sermon shall be

delivered by some one of the members previously appointed thereto; immediately after which, the bishop who is to preside shall state to the congregation the design of their meeting, and briefly recite the proceedings of the Presbytery relative thereto. And then, addressing himself to the minister to be installed, shall propose to him the following or similar questions." (F. G., Ch. XVI, § 6.)

6. Questions to pastor elect, installation.

"1. Are you now willing to take the charge of this congregation, as their pastor, agreeably to your declaration at accepting their call?

"2. Do you conscientiously believe and declare, as far as you know your own heart, that in taking upon you this charge, you are influenced by a sincere desire to promote the glory of God and the good of his Church?

"3. Do you solemnly promise, that, by the assistance of the grace of God, you will endeavor faithfully to discharge all the duties of a pastor to this congregation, and will be careful to maintain a deportment in all respects becoming a minister of the gospel of Christ, agreeably to your ordination engagements?" (F. G., Ch. XVI, § 6.)

7. Questions to pastor elect, ordination. In some cases the ordination and installation of a pastor elect will take place at the same time. Where this is the case the presiding minister, after the sermon, in addition to reciting the proceedings of the Presbytery, "shall point out the nature and importance of ordination; and endeavor to impress the audience with a proper sense of the solemnity of the transaction.

"Then, addressing himself to the candidate, he shall propose to him the following questions, viz:

"1. Do you believe the Scriptures of the Old and New Testaments to be the Word of God, the only infallible rule of faith and practice?

"2. Do you sincerely receive and adopt the Confession of Faith of this Church, as containing the system of doctrine taught in the Holy Scriptures?

"3. Do you approve of the government and discipline of the Presbyterian Church in these United States?

"4. Do you promise subjection to your brethren in the Lord?

"5. Have you been induced, as far as you know your own heart, to seek the office of the holy ministry from love to God, and a sincere desire to promote his glory in the gospel of his Son?

"6. Do you promise to be zealous and faithful in maintaining the truths of the gospel, and the purity and peace of the Church, whatever persecution or opposition may arise unto you on that account?

"7. Do you engage to be faithful and diligent in the exercise of all private and personal duties, which become you as a Christian and a minister of the gospel; as well as in all relative duties, and the public duties of your office, endeavoring to adorn the profession of the gospel by your conversion; and walking with exemplary piety before the flock over which God shall make you overseer?

"8. Are you now willing to take the charge of this congregation, agreeably to your declaration at accepting their call? And do you promise to discharge the duties of a pastor to them, as God shall give you strength?" (F. G., Ch. XV, § 12.)

The above questions take the place at ordination of those given under caption No. 6, and are to be followed immediately by the questions to the people contained in caption No. 8. Thereafter, the pastor elect is to be ordained. Following upon the ordination, the announcement of installation is to be made, as contained in caption No. 10.

8. Questions to the people. To all these having received satisfactory answers (see caption No. 6 or 7, p. 254), he shall propose to the people the following questions:

"1. Do you, the people of this congregation, continue to profess your readiness to receive ———— whom you have called to be your minister?

"2. Do you promise to receive the word of truth from his mouth, with meekness and love; and to submit to him in the due exercise of discipline?

"3. Do you promise to encourage him in his arduous labor, and to assist his endeavors for your instruction and spiritual edification?

"4. And do you engage to continue to him, while he is your pastor, that competent worldly maintenance which you have promised; and whatever else you may see needful for the honor of religion, and his comfort among you?" (F. G., Ch. XV, § 13; Ch. XVI, § 6.)

9. Ordination. The ordination of a candidate who is a pastor elect should be conducted by prayer, with the laying on of the hands of the Presbytery, the candidate kneeling. It is to be followed by the giving to the ordained person of the right hand of fellowship by each member of Presbytery present. (F. G., Ch. XV, § 14). Ordination must be by Presbytery. See caption No. 16, p. 251. Ruling elders are not to take part in the ordination of ministers. See p. 275.

10. Announcement of installation. The people having answered these questions satisfactorily, "by holding up the right hand in testimony of assent, he shall solemnly pronounce and declare the said minister to be regularly constituted the pastor of that congregation." (F. G., Ch. XVI, § 6.) The form of words may be as follows: "As the presiding minister at this service, I hereby declare that the Rev. A. B. is the duly installed pastor of the Presbyterian church of ————."

11. Charges. "A charge shall then be given to both parties, . . . and, after prayer, and singing a psalm adapted to the transaction, the congregation shall be dismissed with the usual benediction." (F. G., Ch. XVI, § 6.)

12. Benediction. The apostolic benediction at the close of the service should be given by the pastor elect. This is the only part which he takes in the exercise, in

addition to the answering of the questions connected with his ordination or installation.

13. Welcome to the pastor. "It is highly becoming, that, after the solemnity of the installment, the heads of families of that congregation who are then present, or at least the elders, and those appointed to take care of the temporal concerns of that church, should come forward to their pastor, and give him their right hand, in token of cordial reception and affectionate regard." (F. G., Ch. XVI, § 7.)

14. Order or steps in installation. The following order is suggested as appropriate for installation services:

(1) Invocation.
(2) Anthem or hymn.
(3) Scripture-reading.
(4) Prayer.
(5) Hymn.
(6) Sermon. See p. 253.
(7) Statement by presiding minister. See p. 253.
(8) Questions to pastor elect. See p. 254.
(9) Questions to the people. See p. 255.
(10) If the pastor elect is to be ordained, the Presbytery should proceed with that ceremony at this point. See p. 256.
(11) Announcement of installation. See p. 256.
(12) Charge to pastor See p. 256.
(13) Charge to people. See p. 256.
(14) Prayer.
(15) Hymn.
(16) Benediction, by the pastor.
(17) Welcome to the pastor.

6. Dissolution of the Pastoral Relation.

1. Resignation of a pastor. Since the pastoral relation exists between the pastor and the congregation, subject to Presbyterial Supervision, the elders have no power to require the resignation of a pastor. They may

counsel and advise with him in the matter, and may call a congregational meeting to consider the subject. The resignation must be to the Presbytery, and only the Presbytery can accept it.

2. Ordinary cases of dissolution. Where a pastor does not labor under a grievance, but simply desires to remove to another field of labor or to withdraw from his present charge owing to ill health, etc., the usual course is for him to signify his desire to the Session, that a congregational meeting may be called to consider the subject. At this meeting, after a statement by the pastor, it is usual for him to withdraw, and for the congregation to consider and to vote upon the following motion: "*Resolved*, That this congregation unites with the pastor in his request to Presbytery for a dissolution of the pastoral relation at present existing between him and this church." Whether this resolution is carried in the affirmative or negative, the Session should be requested to transmit the action of the congregation to the Presbytery, and the congregation may, in addition, appoint a committee to assist the Session.

3. Consent of parties may shorten process. A minister desiring to resign his pastoral charge does not need first to make his request known to the Presbytery. "Chapter XVI, Section 2, of the Form of Government provides that where the parties are prepared for the dissolution of a pastoral relation, it may be dissolved at the first meeting of Presbytery." (Minutes G. A., O. S., 1866, p. 47.)

4. Cases of grievance. Chapter XVII, Section 1, of the Form of Government deals with cases where either pastor or people labor under a grievance, and is as follows:

"When any minister shall labor under such grievances in his congregation, as that he shall desire leave to resign his pastoral charge, the Presbytery shall cite the congregation to appear, by their commissioners, at their next meeting, to show cause, if any they have, why the Presbytery should not accept the resignation. If the congregation fail to appear, or if their reasons for retaining their

pastor be deemed by the Presbytery insufficient, he shall have leave granted to resign his pastoral charge, of which due record shall be made; and that church shall be held to be vacant till supplied again, in an orderly manner, with another minister: and if any congregation shall desire to be released from their pastor, a similar process, *mutatis mutandis*, shall be observed." (F. G., Ch. XVII, § 1.)

5. Independent action by congregation. The provisions of Chapter XVII, Section 1, (see above) should be carefully complied with, whether the movement for a dissolution of the pastoral relation in cases of grievance comes from the pastor or the congregation. A congregation may be called together by a Session to consider the advisability of asking Presbytery to dissolve "a pastoral relation, without the coöperation of the pastor." See caption No. 7, p. 260. If a meeting of this character be held, the motion to be considered and voted upon should be made in the following or equivalent words: "*Resolved*, That the Presbytery of ———— be requested to dissolve the pastoral relation now existing between this congregation and the Rev. A. B., and that the Session of this church be requested to transmit this action to the said Presbytery." The congregation can also appoint a committee to aid the Session, and its representatives should be prepared to give reasons for the action taken.

6. Reasons for dissolution should be weighty. "This Assembly recognizes the right of each congregation to decide whether a pastor is acceptable to them, and the wishes of a majority are to be set aside only for weighty reasons; yet such a state of things may exist between the pastor and a portion of his people as shall require, for the fair name of religion, that the relation be dissolved." (Minutes G. A., O. S., 1868, p. 649.)

Ministers and congregations in some cases, however, treat the pastoral relation in too light a manner. As a relation it is both solemn and sacred. It should not be dissolved, therefore, in any case except for sufficient

reason. Where grievances are alleged, the exercise of Christian patience and charity will often avail to prevent dissolution and the sad results attendant thereupon. Further, while it is at times advantageous to a minister to remove to a new field of labor, and profitable to a congregation to change pastors, earnest endeavor should be made both by ministers and people to give permanency to the pastoral relation. A long pastorate is an inestimable source of power and prosperity to a congregation.

7. Co-operation of pastor not necessary. "The Presbytery, upon application both of the pastor and congregation dissolved the pastoral relation, and Mr. ——— complained to Synod on the ground that the Session and trustees united in calling the meeting of the congregation, without the presence or coöperation of the pastor, at which action was taken for the dissolution of the pastoral relation. The committee recommend that the complaint be dismissed, there being no sufficient ground of complaint." (Minutes G. A., O. S., 1868, p. 612.)

8. Presbytery may dissolve a pastoral relation at discretion. "Presbytery has the Constitutional power to dissolve the pastoral relation against the remonstrance of the pastor and a majority of the church, when a large and influential minority of the church request it, by petition, and in judgment of Presbytery the interests of religion in that congregation require it." (Minutes G. A., O. S., 1860, p. 39.) "Such power should in all cases be exercised with the greatest caution and discretion, and the reasons for such action should be always fully recorded." (Minutes G. A., O. S., 1861, p. 306.) This decision was affirmed in the judicial case of Connell vs. the Synod of Pittsburgh by the O. S. Assembly. (Minutes G. A., 1868, p. 649.)

9. Complaint suspends dissolution. Under Book of Discipline, Chapter IX, Section 85, one third of the members of Presbytery present at the meeting at which a pastoral relation is dissolved can complain to Synod against the decision, and the complaint will suspend such

decision. No complaint from the congregation, however, can suspend proceedings.

7. Moderator.

a. General Provisions.

1. Necessity. "It is equally necessary in the judicatories of the Church, as in other assemblies, that there should be a moderator or president; that the business may be conducted with order and despatch." (F. G., Ch. XIX, § 1.)

2. Constitutional powers. Form of Government, Chapter XIX, Section 2, invests the moderator with specific powers for the transaction of business. These provisions are a part of the Constitution, and cannot be modified or changed by any judicatory. They are distinct from what are called the "General Rules for Judicatories." The section for convenience is arranged as follows:

3. Source and extent of authority. "The moderator is to be considered as possessing, by delegation from the whole body, all authority necessary for the preservation of order; for convening and adjourning the judicatory; and directing its operations according to the rules of the Church."

4. Motions. "He is to propose to the judicatory every subject of deliberation that comes before them."

5. Methods of business. "He may propose what appears to him the most regular and speedy way of bringing any business to issue."

6. Interruptions. "He shall prevent the members from interrupting each other."

7. Respect for the chair. "And require them, in speaking, always to address the chair."

8. Deviations from subject. "He shall prevent a speaker from deviating from the subject."

9. Personalities. "And from using personal reflections."

10. Disorder. "He shall silence those who refuse to obey order."

11. Withdrawal of members. "He shall prevent members who attempt to leave the judicatory without leave obtained from him."

12. Putting the vote. "He shall, at a proper season, when the deliberations are ended, put the question and call the votes."

13. Casting vote. "If the judicatory be equally divided, he shall possess the casting vote. If he be not willing to decide, he shall put the question a second time; and if the judicatory be again equally divided, and he decline to give his vote, the question shall be lost."

14. State the question. "In all questions he shall give a concise and clear state of the object of the vote; and the vote being taken shall then declare how the question is decided."

15. Appeals from decisions. Appeals from the decisions of the moderator are to be taken to Presbytery. See, for other duties, "Committees," "Rules for Judicatories," and Index, under "Moderator."

b. Of a Church with a Pastor.

1. Pastor always moderator. Exception. "The pastor of the congregation shall always be the moderator of the Session; except when, for prudential reasons, it may appear advisable that some other minister should be invited to preside." (F. G., Ch. IX, § 3.)

2. Concurrence of pastor and Session necessary in exceptional cases. In case another moderator than the pastor is desirable, "the pastor may, with the concurrence of the Session, invite such other minister as they may see meet, belonging to the same Presbytery, to preside in that case. The same expedient may be adopted in case of the sickness or absence of the pastor." (F. G., Ch. IX, § 3.)

3. Absence of the pastor. When the pastor of a church is absent, the minister invited to preside over a

meeting of the Session, should be requested to do so with the consent of the pastor, and after action by the Session. (F. G., Ch. IX, § 3.)

4. Sickness of the pastor. When a pastor is sick, the clerk or other member of Session should immediately secure the pastor's consent for the Session to invite some other minister, belonging to the same Presbytery, to preside in the emergency. (F. G., Ch. IX, § 3.)

5. Prudential reasons for change of moderator. The cases which the Constitution has in view are chiefly those in which the personal interests of a pastor may be under consideration. But it should be borne in mind that in all such cases, the invitation to another minister to preside must come from and be forwarded through the pastor, after concurrence by the Session.

6. Moderator other than pastor must be of the same Presbytery. When the pastor cannot or should not act as moderator, then he should invite, with the concurrence of the Session, "such other minister as they may see meet, belonging to the same Presbytery." (F. G., Ch. IX, § 3.)

7. Judicial cases. If the pastor brings, personally, charges against a member of the church, which is neither desirable nor advisable, he cannot act as moderator.

8. Pastor's status in case another minister presides. The pastor is a member of a Session when, by the action of Session, another minister acts as moderator. (Minutes G. A., 1890, p. 47.)

9. Collegiate church. "In congregations where there are two or more pastors, they shall, when present, alternately preside in the Session." (F. G., Ch. IX, § 5.) p. 129.

10. Must be a minister. Sections 3 and 4 of Chapter IX, Form of Government, deal with totally different circumstances. Section 3 deals with the case of the Session of a church which has a pastor, and provides for a moderator at meetings at which he cannot or ought not to preside. Section 4 deals with the case of the Session of

a vacant church. It would seem that it is only the Session of a vacant church which in certain circumstances can proceed to business without a ministerial moderator. (p. 239.)

c. Of a Vacant Church.

1. Power of Presbytery to appoint. "When, therefore, a church is without a pastor, the moderator of the Session shall be, either the minister appointed for that purpose by the Presbytery, or one invited by the Session to preside on a particular occasion." (F. G., Ch. IX, § 4.)

2. Session may invite another minister. The Session of a vacant church has a choice of moderators for any given meeting. While the moderator appointed by Presbytery is the proper presiding officer, yet he may not be able to be present, and the Session, therefore, has the Constitutional right to invite another minister belonging to the same Presbytery "to preside on a particular occasion." (F. G., Ch. IX, § 4.) See this Manual, p. 128.

3. Ruling elder may be moderator. "Where it is impracticable, without great inconvenience, to procure the attendance of such a [minister] moderator, the Session may proceed without it." (F. G., Ch. IX, § 4.)

4. Session to judge of impracticability. The Session of a vacant church, "under its responsibility to the Presbytery, is the judge of the impracticability of procuring a moderator." (Minutes G. A., N. S., 1869, p. 271.) The phrase in the last sentence of Section 4, Chapter IX, "without great inconvenience," ought to be interpreted, however, with a view to proper action. The custom of some Sessions, when churches are vacant, of proceeding to business without a minister, when half a dozen ministers live within a radius of a mile, is contrary to the letter and spirit of the Constitution. It is fundamental to the Presbyterian System that elders act conjointly with ministers. The power to act in exceptional cases ought not to be treated as if it enabled a Session to set to one side the provisions of the Constitution.

5. Ministers to be of the same Presbytery. It is not "lawful for the Session of a church that is without a pastor, to invite a minister of another Presbytery to moderate its meetings." (Minutes G. A., 1891, p. 107.)

6. Moderator of churches in different Presbyteries. "When two or more Presbyteries unite in employing a minister to labor among the vacant churches of these Presbyteries, he may perform all the offices of a pastor in any of the vacant churches within the bounds of the Presbyteries so employing him when authorized by the Presbytery in which he is laboring, but of which he is not a member." (F. G., Ch. X, § 12.) The same principle operates when a pastor in one Presbytery is employed as a stated supply in another Presbytery. (Minutes G. A., 1930, p. 138.)

7. Pastor elect not moderator. "A pastor elect is not moderator *ex officio*, as he yet has no official connection with the church." (Minutes G. A., 1880, p. 45.)

8. Stated supply not necessarily moderator. The stated supply of a vacant church, though regularly employed by the church authorities for a fixed period, is not the moderator of Session unless appointed by the Presbytery, or invited to preside at a particular meeting by the Session, being a member of the same Presbytery.

9. Judicial business requires ministerial moderator. "It is expedient, at every meeting of the Session, more especially when constituted for judicial business, that there be a presiding minister." (F. G., Ch. IX, § 4.)

II. THE RULING ELDER.

1. Warrant and Nature.

1. Divine appointment. The office of ruling elder is of divine appointment. The Constitution expresses the fact in the following words:

"The Lord Jesus, as king and head of his Church, hath therein appointed a government in the hand of Church officers, distinct from the civil magistrates." (C. F., Ch.

XXX, § 1.) "Our blessed Saviour, for the edification of the visible Church, which is his body, hath appointed officers, not only to preach the gospel *and administer the Sacraments;* but also to exercise discipline." (F. G., Ch. I, § 3.)

2. Scriptural authority. "This office has been understood, by a great part of the Protestant Reformed Churches, to be designated in the Holy Scriptures, by the title of governments, and of those who rule well, but do not labor in the word and doctrine." (F. G., Ch. V; I Cor. 12 : 28; I Tim. 5 : 17.)

3. Distinction and perpetuity. There are three distinct classes of officers in the Presbyterian Church, and their offices are perpetual. "The ordinary and perpetual officers in the Church are Bishops or Pastors; the representatives of the people, usually styled Ruling Elders; and Deacons." (F. G., Ch. III, § 2.) "The office of ruling elder is perpetual, and cannot be laid aside at pleasure. No person can be divested of the office but by deposition." (F. G., Ch. XIII, § 6.) While, however, the office is perpetual, the continuance of any ruling elder in the discharge of the active duties of the office, is subject to the will of the people.

4. Representative character. "The election of persons to the exercise of authority, in any particular society, is in that society." (F. G., Ch. I, § 6.) "Ruling elders are properly the representatives of the people, chosen by them." (F. G., Ch. V.)

5. Spiritual nature. While the persons who are set apart to this office are chosen by the people, it does not therefore follow that they are to be designated or regarded as lay elders, as is sometimes done. All Church officers are ordained to and perform spiritual functions, and this fact is decisive in determining the nature of the offices held by them. Neither in the Word of God nor in the Constitution of the Presbyterian Church is there any warrant for designating the ruling eldership, any more

than the ministry of the gospel, as other than a spiritual office.

6. Fundamental to Presbyterian government. The importance of this office inheres not only in its divine appointment, Scriptural authority, representative character, and spiritual nature, but likewise in its fundamental relation to the Presbyterian System of government. "The eldership is essential to the successful operation of our System." (Minutes G. A., O. S., 1839.)

7. Grave responsibility. The responsibility of ruling elders inheres in their general powers. It is sufficient here to note that the powers vested in the office, directly connected with the government and discipline of particular churches, and including the reception and supervision of Church members, are of paramount importance. Especially is it to be emphasized, that ruling elders constitute the majority of members in those courts of the Church which possess primarily the power of opening the Kingdom of heaven to penitent and closing it to impenitent sinners. (C. F., Ch. XXX, § 2.) This is one of the most extensive powers vested in Church officers, and also one involving gravest responsibility both to the Church and the Church's great Head.

2. History of the Office.

The office of the ruling elder, like that of the prophet or messenger of God, is coexistent with the Church. The first Biblical reference to ruling elders, who may be regarded as Church officers, is found in connection with the history of the Children of Israel while in Egypt. (Ex. 3 : 16.) In the Hebrew theocratic state the elders were the legal representatives of the people, and were systematically organized into courts with lower and higher judicatories. (Ex. 18 : 13-25.) The highest of these courts was the Council of Seventy. (Num. 11 : 16.) In the time of Christ the synagogue system was generally in vogue

among the Jewish people. The people under it were associated together in synagogues or congregations for worship and godly living, and were governed by bodies of men called elders. (Acts 13 : 15.) In each congregation, also, there was an officer known as the chief ruler of the synagogue, who was the president of the elders, and instruction was given either by the "legate" of the synagogue or by the doctors of the law. The elders also constituted the bodies called the local sanhedrins, which exercised judicial functions within limited districts, while the control of the affairs of the Church State as a whole was vested in a supreme council composed of priests, elders and scribes, designated as the great sanhedrin. Under this Jewish system our Lord lived. One of the first acts of his ministry was performed in the synagogue at Nazareth (Luke 4 : 16), and the authority of the synagogue was recognized by him (Matt. 18 : 17) in the command, "Tell it unto the church." The general features of the synagogue system of Church government, it is believed, were adopted by the primitive Christian Church, modified in matters of detail by apostolic sanction. The officers who received the gifts sent to Jerusalem by the Christians at Antioch, were elders (Acts 11 : 30); Paul and Barnabas "ordained . . . elders in every church" (Acts 14 : 23). Further, the chief ruler of the synagogue, referred to in Acts 18 : 8, was probably reproduced in the *episcopos* or parochial bishop of the New Testament Church; the local sanhedrin was modified and established as the Session; the Presbytery was organized as a court (I Tim. 4 : 14) and the great sanhedrin became the model of Synods, General Assemblies, and councils. In all the several judicatories thus indicated elders were members, associated with those to whom the preaching of the Word had been entrusted by the Lord.

Elders also were members of the first general council of the Christian Church (Acts 15 : 22), were present when Paul reported upon his first missionary journey (Acts

15 : 4), were tenderly counseled and wisely encouraged by the apostle on his last journey to Jerusalem (Acts 20 : 17), and were commended to the churches as worthy of honor by him in his later epistles (I Tim. 5 : 17).

The office of the eldership underwent an important change during the second or third centuries of the Christian era. It came to be regarded in many parts of the Church as a purely ministerial office. As a result, in due course of time, a hierarchy composed solely of ministers assumed absolute power in the Church, denying to the people any share in the government, and the movement at last culminated in that wide departure from Christian faith and practice found in the Roman Catholic Church. Against this usurpation in government, as well as against unsound doctrine, the Reformation of the sixteenth century was at once a protest, a revolution, and a return to Scriptural principles and apostolic Church order. The restoration of the ruling eldership was the work of John Calvin. It had been first suggested by Œcolampadius, but the great Genevan was the leader who gave the thought life, form, and power. The church at Geneva included four classes of officers: (1) pastors, (2) teachers, (3) ruling elders, (4) deacons. The consistory or Session of the church was composed of ministers and ruling elders. From Switzerland, under Calvin's influence, this return to apostolic Church order was carried to France and Scotland, and was adopted by the Protestants of those countries, and also in part by the English Puritans. Many of the early New England churches also conformed their Church order to the Genevan model—had each not only a pastor and teacher, but also a single ruling elder, who was responsible for the government and discipline of the congregation. In Scotland the eldership was reinstituted in the Church in 1560, and ministers were declared to be the chief of the elders, in view of the fact that they were entrusted with the pastorate of churches. Ruling elders, however, were given equal authority with ministerial

elders in all the Church courts. The Scotch model was that upon which the government of the Presbyterian Church in the U. S. A. was largely framed, the notable exception being the denial to the ministerial elder of the privilege of service as a ruling elder. In 1930, the Presbyterian Church in the U. S. A., by due constitutional enactment, admitted women to the office of ruling elder in the Church. (Minutes G. A., 1930, p. 60.) In consequence, the General Assembly of that year resolved, "That such sections of the Constitution, and such deliverances of previous General Assemblies as are affected by said change in the Constitution, not as to substance, but solely as to verbal interpretation in connection with the use of personal pronouns, should be interpreted generically, that is, as applying to either men or women.—1930, p. 139.

3. Qualifications.

The qualifications of ruling elders required in the Holy Scriptures and the Constitution of the Church are of a dual character: (*a*) personal, and (*b*) legal.

a. Personal Qualifications.

The personal qualifications of ruling elders are suggested in the Form of Government, by a statement in Chapter IV, in connection with the duties of the pastor or bishop, viz.: "As it is his duty to be grave and prudent, and an example of the flock, and to govern well in the house and Kingdom of Christ, he is termed presbyter or elder." While the office of pastor or minister (see pp. 228-231) has many and varied functions, not entrusted by the Church to ruling elders, yet inasmuch as they too are invested conjointly with the power "of exercising government and discipline" in the Church, it is appropriate that their qualifications for the discharge of the functions of their office should be of the same high order. The principal passages of the Holy Scriptures in this matter are I Tim. 3 : 1–7; 4 : 12; Titus 1 : 6–9; James 5 : 14.

The qualifications, from this Biblical point of view, of ruling elders, are as follows:

(1) *Exemplary piety.* "Blameless," "of good behavior," "an example of the believers, . . . in conversation, in charity, in spirit, in faith, in purity."

(2) *Intelligence.* "Apt to teach."

(3) *Knowledge of the truth.* "Able by sound doctrine both to exhort and to convince the gainsayers."

(4) *Steadfastness in the faith.* "Holding fast the faithful word as he hath been taught."

(5) *Executive ability.* "One that ruleth well his own house, . . . (for if a man know not how to rule his own house, how shall he take care of the church of God?)"

(6) *Good reputation.* "A good report of them which are without."

(7) *Judicial temperament.* Implied in the statement, "One that ruleth well his own house, having his children in subjection with all gravity."

(8) *Not a recent convert.* "Not a novice."

(9) *Capacity for prayer.* "The elders of the church; . . . let them pray over him."

(10) *Sobriety.* "Sober," "not given to wine."

(11) *Generosity.* "Not covetous," "given to hospitality," "not given to filthy lucre."

(12) *Temperance and prudence.* "Not self-willed," "temperate," "blameless."

(13) *Gravity and love of justice.* "With all gravity," "just."

(14) *Patience and gentleness.* "No striker," "not soon angry," gentle unto all men.

(15) *Carefulness as to his associates.* "A lover of good men."

(16) *Energy and watchfulness.* "Vigilant."

The above-named personal qualifications should be, as far as possible, the characteristics of all persons whom it is proposed to elect to the office of ruling elder in any church. They are the Scriptural and natural indications

of those qualities of heart and mind which should be distinctive of rulers in the Church of Christ. The most important of them are: exemplary piety, by which is meant a high degree of attainment in the Christian life; good reputation, a feature indispensable to that moral power which is a Church officer's main source of influence; executive ability, without which the elder will prove incompetent in many lines of Christian work; and also intelligence, knowledge of the truth, and steadfastness in the faith, each of these three last being specially needed, for the consideration of the qualifications of applicants for admission to the Lord's Table, the fitness of church members for various lines of church work, and the proper attainments of probationers or candidates for the gospel ministry. In the examination, admission and employment of the classes of persons just named, ruling elders have an equal responsibility with ministers; and in the administration of government and discipline in the local church, inasmuch as they make up the majority of the Session, their responsibility fully equals that of ministers. It is essential, therefore, that ruling elders should be spiritual, energetic, and intelligent persons.

Among the qualifications above named no reference is made either to the preaching of the Word or to the public worship of the sanctuary. Aptness to teach, capacity for prayer, and ability by "sound doctrine both to exhort and to convince the gainsayers," are not the equivalents of a call to, gifts for, and ordination to the office of a minister of the gospel. Even private Christians are enjoined by the apostle (I Peter 3 : 15) to be "ready always to give an answer to every man that asketh you a reason of the hope that is in you." And if private Christians are in duty bound, according to ability and opportunity, to exhort and convince, much more so the persons set apart as ruling elders, and who are the chief helpers of the pastors of churches. Ruling elders are to exercise equally with other Christians, subject to the authority of the Session, any

gifts for public prayer, teaching, or exhortation which they may have. They do not, however, possess official authority as preachers of the Word. The office of the ruling elder in the Presbyterian Church in the U. S. A., as already stated, is purely an office of rule; and next to those virtues which are indissolubly connected with high character, the qualifications upon which emphasis should be laid in connection therewith are intelligence and executive ability. Given these two, then, whether ruling elders are gifted or not in exhortation and in prayer, it is certain that they will rule well. Greatly are those churches to be congratulated which have prudent, wise, watchful, intelligent, efficient, and diligent ruling elders.

b. Legal Qualifications.

The Constitution of the Church, in addition to the suggestion of the personal and Scriptural qualifications of ruling elders, adds the following legal qualifications:

1. Members in good standing. Ruling elders must be "members in full communion in the Church in which they are to exercise their office." (F. G., Ch., XIII, § 2.) Therefore a minister cannot be an elder. See p. 230.

2. Willingness to serve. Persons ought not to be elected ruling elders who declare their unwillingness to serve, for "willingness to accept" the office is essential to ordination and installation. (F. G., Ch. XIII, § 3.) It is not necessary, however, to secure knowledge of this qualification prior to election. Disinclination to assume the duties of this important office is not the equivalent of unwillingness to serve, but may be the evidence simply of a proper and fitting sense of its responsibilities.

3. Acceptance of the Scriptures. Ruling elders are required to acknowledge belief in the Scriptures as "the only infallible rule of faith and practice." (F. G., Ch. XIII, § 4.)

4. Adoption of Confession. Sincere reception and adoption of the Confession of Faith, as "containing the

system of doctrine taught in the Holy Scriptures," is required of those who accept service in the eldership (F. G., Ch. XIII, § 4), "and if any cannot faithfully accept this Confession of Faith, they should decline office in the Church." (Minutes G. A., 1882, pp. 98, 99.) This deliverance was given in answer to an overture asking if a person rejecting infant baptism could serve as a ruling elder.

5. Approval of system of government. Ruling elders are required at ordination to "approve of the government and discipline of the Presbyterian Church in these United States." (F. G., Ch. XIII, § 4.)

4. Powers.

1. General. Ruling elders are among those Church officers to whom "the keys of the Kingdom of heaven are committed, by virtue whereof they have power respectively to retain and remit sins, to shut that Kingdom against the impenitent, . . . and to open it unto penitent sinners, . . . as occasion shall require." (C. F., Ch. XXX, § 2.) They are "to exercise discipline, for the preservation both of truth and duty." (F. G., Ch. I, § 3.) "It is incumbent upon these *officers*, and upon the whole Church, in whose name they act, to censure or cast out the erroneous and scandalous." (F. G., Ch. I, § 3.)

Elders are chosen "for the purpose of exercising government and discipline." (F. G., Ch. V.)

2. Specific. The specific powers of this office, being involved in and derived from the powers of Session, or connected with the membership of ruling elders in the higher courts, are considered under the titles, "Limitations Upon Powers," "Ruling Elders in the Higher Judicatories," and "The Session," which see, pp. 274, 299, 49.

5. Limitations Upon Powers.

1. To act conjointly with ministers. Ruling elders are to exercise "government and discipline," not inde-

pendently of, but "in conjunction with pastors or ministers." (F. G., Ch. V.)

2. The Scriptures the supreme law of office. In the performance of their duties, ruling elders are to observe "in *all* cases, the rules contained in the Word of God." (F. G., Ch. I, § 3.) They accept at ordination "the Word of God" as "the only infallible rule of faith and practice." (F. G., Ch. XIII, § 4.)

3. The exercise of authority subject to the Session. Ruling elders do not exercise authority by virtue of any power inhering in them as individuals, but solely by virtue of the acts of the Session as a Constitutional judicatory. This appears from the statement, "it is absolutely necessary . . . that the Church be governed by congregational, Presbyterial, and Synodical assemblies." (F. G., Ch. VIII, § 1.) The exercise of authority by ruling elders is, therefore, subject to the control of the Session of which they are part. Authority inhering in individuals, it is to be remembered, is the characteristic feature of Episcopalianism, while authority derived from Church courts is the distinguishing mark of Presbyterian government.

4. Cannot officiate in two churches at the same time. It is not "consistent with the Constitution of this Church for the same individual to hold the office of ruling elder in two different churches at the same time." (Minutes G. A., 1827, p. 204.)

5. Cannot adjudicate in another church. A ruling elder has no "legal right to adjudicate in another church than that of which he is an elder." (Minutes G. A., 1831, p. 324.)

6. Nor act in licensure or ordination of ministers. "He cannot propound the constitutional questions at a licensure." (Minutes G. A., 1922, p. 200.) "Neither the Constitution nor the practice of our Church authorizes ruling elders to impose hands in the ordination of ministers." (Minutes G. A., O. S., 1843, p. 183.) "As in respect to baptism, the elders jointly with the pastor deter-

mine who shall be admitted to this ordinance; yet the pastor only administers it; so in ordination the whole Presbytery determines the fitness of the candidate, but only the ministers present induct into office." (Minutes G. A., N. S., 1860, p. 242.) See p. 300, 9.

7. Cannot administer the Sacraments. "There be only two Sacraments ordained by Christ our Lord in the Gospel, that is to say, Baptism and the Supper of the Lord: neither of which may be dispensed by any, but by a minister of the Word, lawfully ordained." (C. F., Ch. XXVII, § 4.)

"The Sacraments of Baptism and the Lord's Supper . . . are to be dispensed by ministers of the gospel and by none other." (L.C.,Q. 176.) See, also, the Directory for Worship (Chs. VIII and IX), and the action of the General Assembly on an overture on the authority of ruling elders to administer sealing ordinances. (Minutes G. A., 1870, p. 22.)

6. Terms of Service.

a. Provision.

1. Permanent service or term service optional. While the office of ruling elder is an office whose tenure is for life or good conduct, "an elder may, as often happens with respect to a minister, cease to be an acting elder or deacon." (F. G., Ch. XIII, § 6.) The Church, having this principle in view, recognizes two modes of active service in the office of the ruling eldership: (1) the permanent, and (2) the term service. (See under these respective heads, p. 276 and p. 277.)

b. The Permanent Service.

1. Nature. The permanent eldership differs as to its nature from the term-service eldership, simply in the length of time during which ruling elders are actively engaged in the performance of the duties of their office.

2. Care as to choice. In view of the fact that ruling

elders elected under the permanent system may serve in the same church for many years, special care should be taken to select for the office fully qualified and generally acceptable persons.

3. Additional elders, Session to be consulted. It is proper that the existing Session should be consulted with reference to any proposed addition to the number of its members. In some churches the recommendation of such an addition, and of the persons to be added, is left to the existing Session. See this Manual, under the head, "Mode of Election," p. 282.

4. Change in existing eldership. The members of an existing permanent-service Session can be changed in any congregation, only by (1) the resignation of an elder or elders, (2) memorial or complaint to Presbytery against an elder or elders, or (3) the adoption of the term-service eldership.

5. For other matters connected with the permanent-service eldership see "Meetings," p. 280, "Mode of Election," p. 282, "Retirement," p. 293.

c. The Term Service.

1. Constitutional provision. "If any particular church, by a vote of members in full communion, shall prefer to elect ruling elders for a limited time in the exercise of their functions, this may be done; *provided*, the full time be not less than three years, and the Session be made to consist of three classes, one of which only shall be elected every year; and *provided*, that elders, once ordained, shall not be divested of the office when they are not re-elected, but shall be entitled to represent that particular church in the higher judicatories, when appointed by the Session or the Presbytery." (F. G., Ch. XIII, § 8.)

2. Method of introduction. If it is regarded as desirable to introduce the term-service eldership in any congregation, the question should be considered and determined at the regular annual meeting of the church, or

at a special meeting called for the purpose by the Session. At such meeting the following or similar resolutions should be adopted, viz.:

Resolved, 1. That this congregation by virtue of the Constitutional provisions contained in the Form of Government of the Presbyterian Church in the U. S. A., Chapter XIII, Section 8, will hereafter elect ruling elders for a limited time in the exercise of their functions.

Resolved, 2. That the number of ruling elders in the Session of this church shall be six [three or some multiple of three can be inserted here], and that their full term of service shall be three years, and that they shall be divided into three classes, one of which only shall be elected every year.

3. First election. The resolutions providing for the term service having been adopted, the congregation should then proceed to the election of elders in the manner following, viz.:

(1) The entire number of elders to be chosen should be elected at one and the same time, without distinction as to length of service.

"The church can elect the elders by classes, provided that ultimately the term of service be three years." (Minutes G. A., 1891, p. 106.)

(2) The elders thus elected should be directed by the congregation to divide themselves into three classes by the following resolution, viz.:

Resolved, That the elders elected by this meeting under the term-service system, are hereby directed and empowered to divide themselves into three classes, one to serve for one year, another for two years, and the third for three years; that these elders have leave to retire for the purpose of making this division, and that they report the result of their action to this meeting.

(3) After the elders have presented their report, the meeting should then direct by resolution the clerk to

make record of the report, and of its approval, in the terms following, viz.:

Resolved, 1. That the report of the elders elected by this meeting under the term-service system, upon their division into three classes, is hereby approved, and the clerk of the church is directed to record said report in the minutes of this meeting.

Resolved, 2. That at the next regular annual meeting of this church, an election shall be held for elders to take the place of the first class of term-service elders, chosen at this meeting—to wit, the class whose term of service expires in one year from this date; and also that at each regular annual meeting of this church hereafter, one of the three classes into which the Session is divided, shall be duly elected; and also that the full term of service of each class hereafter elected shall be three years.

4. Term service must be three years. "The provisions of this section (see caption No. 1, p. 277) cannot be carried out should the elders be elected for a longer or shorter term than three years." (Minutes G. A., 1884, p. 114.) This does not apply at introduction. See p. 278.

5. Ineligibility for re-election. Elders, deacons, and trustees, serving under the term system, and having served full terms of three years each, may be made ineligible for one year by congregational action to that effect. (Minutes G. A., 1919, p. 267.)

6. Unexpired terms may be filled. Vacancies occurring in the term-service eldership through resignation or death may be filled for the unexpired terms by the congregation at the regular annual meeting, or at a special meeting called by the Session.

7. Term-service elders when re-elected should be reinstalled. The reinstallation of elders reëlected on expiration of their term of service is essential to the continued exercise of their office in that church. (Minutes G. A., 1878, p. 71; 1880, p. 41.)

8. Term-service elders not re-elected may be delegates to the higher courts. "The elders referred to (term service), by due appointment of Session or Presbytery, may become members of any of the courts of the Church above the Session." (Minutes G. A., 1876, p. 74.)

9. Exception as to division into classes. "In home-missionary churches, when, from necessity, there are too few elders for division into the prescribed classes, the term service may be operated in the spirit of the constitutional provision until the Session has increased sufficiently to conform to the full requirements. (Minutes G. A., 1883, p. 626.)

10. Existing Session ceases to act. "So soon as any particular church shall determine to elect ruling elders for a limited time, and they shall be elected and set apart to their office, elders in office by virtue of an earlier appointment cease to be acting elders in that particular church." (Minutes G. A., 1876, p. 74.)

11. Permanent eldership may be readopted. "The Assembly recommend that in all cases where any dissatisfaction appears to exist, the congregation be promptly convened to decide on their future mode of election." (Minutes G. A., 1827, p. 215.)

12. Life and term elders and deacons serving at the same time. A church may not have certain of its elders or deacons serving on the life system and others on the term system. (Minutes G. A., 1911, p. 218.)

7. Meetings for Election of Elders.

1. Meeting to be called by Session. "The Session of a church should always be consulted with reference to calling a meeting for the election of additional ruling elders; and it is irregular to call a meeting for such a purpose, and proceed to an election, unless the meeting is called through and by authority of the Session." (Minutes G. A., O. S., 1867, p. 320.)

2. If Session refuse, complaint may be made to Presbytery. "Should the Session neglect or refuse to

convene the congregation, the party feeling aggrieved has its remedy by application to Presbytery in the form of a complaint." (Minutes G. A., 1822, p. 49.)

3. Meeting may be called by Presbytery. The meeting may be "called through and by authority of some higher court." (Minutes G. A., 1834, p. 453; O. S., 1867, p. 320.)

4. Place of meeting. The meeting should assemble either in the audience room, or in some other room within the church edifice or place of worship.

5. Quorum of meeting. There is no law of quorum for a church meeting in the Constitution, and any number of members, being assembled by virtue of a call issued by the Session, are competent to transact ecclesiastical business. A church can, however, adopt a law of quorum if desired, either one fifth, one third, or any other proportion of its membership. The adoption of such a law is inadvisable.

6. Pastor to be moderator. "The pastor of a church, by virtue of his office, is the moderator of a meeting of the communicants of his church called to elect ruling elders and deacons." (Minutes G. A., 1886, p. 26.)

7. Minister to preside if church is vacant. When a church is vacant the moderator of Session appointed by Presbytery is the proper moderator of a "meeting called to elect ruling elders." (Minutes G. A., 1886, p. 26.) In case he cannot be present, another minister, being a member of the same Presbytery, may be invited by the Session to preside.

8. Clerk of meeting. The usage is for the clerk of Session to act as the clerk of the church meeting. The acceptance of this usage as a rule will secure efficiency in business and accuracy of record.

9. Docket, special meeting.

(1) Prayer by presiding minister.

(2) Reading of call for meeting.

(3) Appointment of clerk.

(4) Appointment of tellers, if the vote is to be by ballot, as is advisable.

(5) Nomination of elders.

(6) Election.

(7) Announcement of result.

(8) Announcement of time appointed for ordination and installation, agreement being had beforehand.

(9) Prayer and benediction.

10. Docket, regular meeting. If the election takes place at the regular annual meeting of the church, then the order of business is indicated by items 4 to 8 of the docket.

11. Majority necessary to elect. It is the usage to require a majority vote of the members present in order to elect. This usage should be made a rule by the passage of the following resolution:

"*Resolved*, That in all elections for church officers in this congregation, a majority vote of the members present at a meeting shall be necessary to elect."

12. Two-thirds vote recommended in certain cases. In two cases where an existing Session was unsatisfactory to the church, and the election of a new Session was recommended, the General Assembly further recommended the new elders "not to accept office unless they shall obtain the suffrage of at least two thirds of the electors participating in the election." (Minutes G. A., 1834, p. 453; 1893, p. 152.)

13. Report to Session. It is required that "all proceedings of the church shall be reported to, and reviewed by, the Session, and by its order incorporated with its records." (B. D., Ch. IX, § 72.)

8. Mode of Election.

1. Constitutional provision. The mode of election is not specified in the Standards, but it is provided that "every congregation shall elect persons to the office of

ruling elder, . . . in the mode most approved and in use in that congregation." (F. G., Ch. XIII, § 2.)

2. Historical meaning of "mode." The phrase "in the mode most approved and in use in that congregation" refers historically to (1) nominations by the Session, (2) additions to the existing eldership, (3) qualifications of voters, who should be limited to communicants (see Digest 1922, Vol. 1, p. 340), and (4) length of service by the elder. Debate as to the matter last mentioned was settled by the addition to the Form of Government of Chapter XIII, Section 8, on the term-service eldership, which see, p. 276. For decisions of the Assembly on the other matters see other titles under this head.

3. Resolutions as to mode. At the organization of the church, or at the earliest time possible thereafter, a mode of election should be adopted by vote of the church at a regularly called meeting, and a record made of the same, to avoid differences of opinion in the future. The following resolution is suggested as appropriate for the election of *term-service* elders, viz.:

Resolved, That ruling elders (and deacons) shall be elected in this church or congregation under the term-service method at the regular annual meetings of the church appointed for that purpose; that candidates may be nominated by any church member; that the election shall be by ballot, and that all communicant members and no other persons shall be entitled to vote for elders (or deacons).

The following resolution may be adopted by churches preferring the *permanent* eldership, viz.:

Resolved, That ruling elders (and deacons) shall be elected in this church and congregation at special meetings duly called by the Session; that candidates may be nominated by any church member; that the election shall be by ballot; that all communicant members and no other persons shall be entitled to vote for elders or deacons; and that the election of additional elders (or deacons) shall

take place on the recommendation of the Session, subject to approval by the congregation.

4. Decision by congregation advised where differences prevail. The "Assembly would recommend that in all cases where any dissatisfaction appears to exist, the congregation be promptly convened to decide on their future mode of election." (Minutes G. A., 1827, p. 215.)

5. Superior judicatory cannot interfere with mode. The "mode of electing elders throughout the Church is designedly left by the Constitution to be regulated by the usage of each particular church." (Minutes G. A., O. S., 1840, p. 305.)

6. Uniformity in mode deemed impracticable. The subject of uniformity in the mode of election of ruling elders was dismissed "from any further consideration." (Minutes G. A., 1826, p. 187.)

7. Session may be empowered to determine when additional elders shall be chosen. "In those churches in which the usage has prevailed for the existing eldership to determine when and how large an addition shall be made to the Session, the Church has an effectual security against the abuse of that power in the right of appeal or complaint secured by the Constitution." (Minutes G. A., O. S., 1840, p. 305.)

8. Sessional nominations. The nomination by the Session of persons to the office of ruling elder is not contrary to the Form of Government. (Minutes G. A., O. S., 1847, p. 381.) Great care is needed, however, on the part of the Session, if this right is exercised, to avoid disturbance thereby of the peace of the church.

9. Individual nominations. In many churches members of the Session as individuals make the nominations of ruling elders. But whether nominations are made by the Session as a body or by members of the Session as individuals, other candidates for the office may be placed in nomination by any qualified voter, unless the

church has otherwise determined by resolution lawfully adopted.

10. Must be elected by the people. In the case of elders nominated and ordained by a minister, "it was determined that the elders mentioned in the inquiry are to be henceforth viewed as private church members only, unless they be duly elected and set apart as Church officers hereafter." (Minutes G. A., 1798, p. 158.)

11. Congregation defined. "The term congregation includes only the actual communicants of the particular church." (Minutes G. A., 1882, p. 97.) This definition does not prevent congregations from determining who shall and who shall not be voters for ruling elders. They possess a positive Constitutional right in this matter, referred to in the first caption under this head.

12. Vote by ballot recommended. The Assembly "are inclined to believe that the spirit of our Constitution would be most fully sustained by having in all cases a direct vote of the congregation in the appointment of elders." (Minutes G. A., 1827, p. 215.)

13. Communicants may be the only voters. "The Assembly judges it most consonant to our Form of Government that communicants only should vote in the election of ruling elders." (Minutes G. A., O. S., 1855, p. 299.)

14. All communicants are voters, whether adults or minors. "It is not in accordance with the principles and usages of the Presbyterian Church to distinguish between members of the church as to their ages, in voting for officers of the church." (Minutes G.A.,N.S., 1859, p. 18.)

15. Term of service for elders. The term of service may be either for three years or "for life or fault." See, for "The Term Service," p. 277, and for "The Permanent Service," p. 276.

16. Elder emeritus. "The position of elder 'emeritus' is unknown to our Form of Government." (Minutes G. A., 1911, p. 218.)

9. Ordination.

a. Mode.

The Form of Government, Chapter XIII, Section 3, provides that "when any person shall have been elected to" the office of ruling elder, "he (she) shall be set apart in the following manner":

1. Sermon, and statement by minister. "After sermon, the minister shall state, in a concise manner, the warrant and nature of the office . . . together with the character proper to be sustained, and the duties to be fulfilled by the officer elect." (F. G., Ch. XIII, § 4.) See also, p. 265.

2. Questions to the elder elect. "Having done this, he shall propose to the candidate, in the presence of the congregation, the following questions, viz:

1. "Do you believe the Scriptures of the Old and New Testaments to be the Word of God, the only infallible rule of faith and practice?

2. "Do you sincerely receive and adopt the Confession of Faith of this Church, as containing the system of doctrine taught in the Holy Scriptures?

3. "Do you approve of the government and discipline of the Presbyterian Church in these United States?

4. "Do you accept the office of ruling elder in this congregation, and promise faithfully to perform all the duties thereof?

5. "Do you promise to study the peace, unity, and purity of the Church?" (F. G., Ch. XIII, § 4.)

3. Questions to the people. "The elder having answered these questions in the affirmative, the minister shall address to the members of the church the following questions, viz:

"Do you, the members of this church, acknowledge and receive this brother (sister) as a ruling elder, and do you promise to yield him (her) all that honor, encouragement and obedience in the Lord, to which his (her) office,

according to the Word of God and the Constitution of this Church, entitles him (her)?" (F. G., Ch. XIII, § 4.)

4. Ordaining prayer and exhortation. "The members of the church having answered this question in the affirmative, by holding up their right hands, the minister shall proceed to set apart the candidate, by prayer, to the office of ruling elder, and shall give to him (her) and to the congregation an exhortation suited to the occasion." (F. G., Ch. XIII, § 4.)

5. Ordination to be performed by a minister. "The minister shall proceed to set apart the candidate, by prayer, to the office of ruling elder." (F. G., Ch. XIII, § 4.) The minister is usually the pastor of the church electing the elder, but where there is no pastor, another minister may act, by invitation of the Session.

6. Right hand of fellowship. "Where there is an existing Session, it is proper that the members of that body, at the close of the service, and in the face of the congregation, take the newly ordained elder by the hand, saying in words to this purpose,—We give you the right hand of fellowship, to take part of this office with us." (F. G., Ch. XIII, § 5.)

b. Miscellaneous.

1. Election by the church necessary to validate. In the case of elders nominated and ordained by a minister without an election by the church, it was determined by the Assembly "that the elders mentioned in the inquiry are to be henceforth viewed as private church members only, unless they be duly elected and set apart as church officers hereafter." (Minutes G. A., 1798, p. 158.)

2. Constitute membership in the Session. "An elder elect is not a member of the Session, nor competent to sit in a judicial case," unless he be ordained. (Minutes G. A., N. S., 1868, p. 58.)

3. Neglect of ordination fatal to validity of acts. "A decision in a case of discipline by a Session whose

members have never been ordained is not a valid and lawful decision [nor] binding on the accused." (Minutes G. A., N. S., 1868, p. 58.)

4. Laying on of hands optional. "The Form of Government declares that elders shall be set apart to their respective offices 'by prayer.' The imposition of hands, however, we are aware, in many of our churches is practiced; and, as it is plainly in accordance with apostolic example, it is the opinion of the Assembly that it is proper and lawful." (Minutes G. A., 1833, p. 405.)

5. Session to determine mode of ordination. On the subject of ordaining elders by the imposition of hands the decision of the Assembly was "that it be left to the discretion of each church Session to determine the mode of ordination in this respect." (Minutes G. A., O. S., 1842, p. 16.)

6. Laying on of hands—historical note. The mode for the ordination of ministers ordinarily consists of two acts, prayer and the imposition of hands. This order was followed by the apostles when they ordained seven men as the first deacons of the Church (Acts 6 : 6). The Presbyterian Church, it is true, has never regarded the mode of ordination as a matter of primary importance. The imposition of hands in the ordination of both ministers and ruling elders was dispensed with in the First Book of Discipline, adopted in 1560 by the Church of Scotland, but was again ordered for ministers only in the Second Book, adopted in 1578. This action of the Scotch Church originated the omission of the laying on of hands in the case of ruling elders. As indicated above, the Assembly has approved the apostolic example given in the case of deacons, of laying on of the hands, as applicable in the case of ruling elders. The minister, however, is to perform this as well as the other parts of the service.

10. Installation.

a. Mode.

1. Mode prescribed. "This Assembly hereby declare that the existing law of the Church as to the mode of installation is as follows," (Minutes G. A., O. S., 1856, p. 539), viz.:

2. Statement by minister. "After sermon the minister shall speak of the office and duties of ruling elders, as in case of ordination."

3. Questions to elder. "And shall then propose to the elder elect in the presence of the congregation the following questions:

(1) "Do you sincerely receive and adopt the Confession of Faith of this Church, as containing the system of doctrine taught in the Holy Scriptures?

(2) "Do you accept the office of ruling elder in this congregation, and promise faithfully to perform all the duties thereof?

(3) "Do you promise to study the peace, unity, and purity of the Church?"

4. Questions to the people. The elder elect having answered these questions in the affirmative, the minister shall ask the members of the church whether they accept him (her), as in cases of ordination.

5. Declaration, etc., by minister. "The members of the church having answered in the affirmative, by holding up their right hands, the minister shall then declare him (her) an elder of that church, and accompany this act by exhortation and such other proceedings as he may deem suitable and expedient.

"The following form for this declaration is recommended, viz.: "I, A. B., by virtue of the authority vested in me by the Lord Jesus Christ, do hereby declare C. D. to be a regularly elected and duly installed ruling elder in ———— Presbyterian Church of ————."

b. Miscellaneous.

1. Installation necessary on a new election. "When a ruling elder by removal or otherwise terminates his connection with the Session," it is necessary that he be installed "before he can regularly exercise again the office in the same church or in any other church." (Minutes G. A., O. S., 1849, p. 265; 1856, p. 539; and 1880, p. 46.)

2. Action on reinstallation not retroactive. "The action in reference to the reinstallation of elders is not intended to be retroactive, or in any way to affect the validity of the action of Sessions in which elders, regularly elected, but not reinstalled, may have sat as members." (Minutes G. A., 1880, p. 84.)

3. Reinstallation orderly. While it is not essential to the validity of his office that a ruling elder, reëlected in a church where the limited term service prevails, be reinstalled, it is, nevertheless, more orderly "that the fact of his reëlection be recognized by his installation." (Minutes G. A., 1882, p. 98.)

4. Installation to be presumed. "That an elder regularly ordained and installed in one church and subsequently elected to the same office in another church, and who has heretofore, pursuant to such election, served as an elder in such church without objection, shall be presumed to have been duly installed therein, and his right to accept shall not now be questioned." (Minutes G. A., O. S., 1856, p. 539.)

11. Duties.

The duties of ruling elders are directly connected with and inhere in the powers of the Session. For the details of official duty, in direct connection with the work of the Session, see Part III, under "The Session." Certain general duties, however, can be appropriately indicated at this point. They are:

1. Attendance at Session meetings. Ruling elders should be present at every meeting of the Session of which

they are members, unless unavoidably prevented. They should also be prompt in their attendance. Promptness and regularity on the part of the members will keep the business of the Session well in hand, promote sympathy with and knowledge of the work of the church, and advance in many ways the general welfare. Neglect in these particulars works inevitable injury to the best interests of the congregation.

2. Loyalty to the Session. Differences as to policy are natural in administrative bodies. To this rule church Sessions are no exception. These differences, however, should never be permitted to influence the relations of the members of Session one to another, or be spoken of with any other persons than the members. The business of the Session should be kept in the Session. Further, the members of Session should be careful to avoid the appearance of unkindness one toward another, either in speech or in act. As rulers in the house of God, in their mutual relations they should speak the truth in love, should be patient, charitable, gentle, and at all times defend and sustain one another. Again, ruling elders should remember their responsibility to the Session, and should be careful to avoid giving the impression that they act independently of each other. The maintenance of the unity of the Session in all action is fundamental to its influence and to the welfare of the church.

3. Helpfulness to the pastor. The cares and burdens of the pastor of a church are numerous and wearing. The ruling elders are his divinely appointed helpers in his arduous labors. They should cheerfully respond to his requests for assistance in the work of visitation, the conduct of devotional services, the oversight of church members, the training of the young, and in the detail of administration. However they may differ from him as to matters of policy, they should never permit these differences to interfere with cordiality of fellowship or develop into obstacles in the way of his success. Elders should

invariably give active support to the pastor in all his labors.

4. Attendance upon church services. The ruling elders of a congregation should be present at every church service, unless sickness prevent, both on the Sabbath and during the week. Their prompt and regular attendance will be a great help to the pastor, will stimulate attendance on the part of church members, and will increase their own influence for good. Many churches suffer in the matter of proper attendance at their services because of the remediable absence of ruling elders. Church officers should be examples to the flock, in their fidelity to the obligation resting upon all Christians of regular attendance upon the stated worship of Almighty God.

5. Exemplary conduct. Ruling elders are to endeavor in their private as well as in their public lives to be examples to "the believers, in word, in conversation, in charity, in spirit, in faith, in purity." Elders can by the power of example influence many persons to faith in Christ, encourage weak Christians in their efforts to follow the Saviour, and promote effectively the interests of the congregation. A godly life is a living epistle "known and read of all men."

6. Watchfulness over the welfare of the congregation. Ruling elders should put in practice continually the counsel given by the apostle to the elders of the church of Ephesus: "Take heed therefore unto yourselves, and to all the flock, over the which the Holy Ghost hath made you overseers, to feed the church of God, which he hath purchased with his own blood." Ruling elders are in one sense "shepherds," and should put into execution the ideas involved in that word, subject to the authority of the Session. They should be guides, protectors, counselors to the members of the church. In all matters of importance they should take counsel with the other members of Session prior to action, and should report regularly to that judicatory.

7. Visitation of the sick and the afflicted. If unfamiliar with this special duty, which is a very delicate one, the elders would do well to seek the aid of the pastor, and in most cases it will be wise to go in his company. The visits should be brief, and the devotional exercises should be limited to the reading of a few verses of Scripture and a short prayer.

8. Sympathy with the young. Ruling elders should by every means possible bring themselves into sympathetic relationship with the young of their churches. The period of youth is from one viewpoint the period of danger, and the influence exerted by the elders over the young persons in a congregation may decide both their temporal and eternal welfare. Again, it is from the young that the main growth of the Church is secured, the majority of conversions being of persons between fourteen and twenty-one years of age. The elders, therefore, as they have in mind present additions to the church, and as they desire earnestly its welfare when the generation to which they belong shall have passed out from life and labor, should seek diligently the friendship of the young, leading them to Christ, instructing them in the truth, and preparing them for high usefulness in the Redeemer's service. Elders, if possible, should be teachers in the Sabbath school, and it is at times wise to have the superintendent of the school a member of the Session. See, Part III, under "Christian Education in the Particular Church," p. 94.

12. Retirement or Resignation.

a. Reasons.

The reasons which may cause the retirement or resignation of an elder from active duty are the following:

1. Dismissal to another church. An elder receiving a certificate of dismission shall not deliberate or vote in a church meeting, nor exercise the functions of his office. Should he return the certificate within a year from its

date, the Session shall make record of the fact, but he shall not thereby be restored to the exercise of the functions of his office previously held by him in the church. (B. D., Ch. XI, § 109.)

2. Adoption of term service. "So soon as any particular church shall determine to elect ruling elders for a limited time, and they shall be elected and set apart to their office, elders in office by virtue of an earlier appointment cease to be acting elders in that particular church." (Minutes G. A., 1876, p. 74.)

3. Operation of term service. Term-service elders, by virtue of the provisions governing their election, are liable to fail of reëlection at the close of any given term of office. A failure of reëlection should be accepted by them in all cases in a graceful manner. The exercise of its rights by a congregation in connection with such elections does not necessarily involve dissatisfaction with any person, but simply expresses a preference, under the circumstances, for one person rather than another.

4. Charges of improper conduct. "A judicatory may, if the edification of the Church demands it, require an accused person to refrain from approaching the Lord's Table, or from the exercise of office, or both." (B. D., Ch. IV, § 33.)

5. Peace of the church. "The Assembly recommend to the whole Session, to take the Constitutional steps, and cease from acting as ruling elders in that congregation, with a view to promote the peace of the church." (Minutes G. A., 1834, p. 39; 1893, p. 151.)

6. Age, infirmity, or unacceptability. "An elder may become by age or infirmity incapable of performing the duties of his office; or he may, though chargeable with neither heresy nor immorality, become unacceptable, in his official capacity, to a majority of the congregation to which he belongs. In either of these cases he may, as often happens with respect to a minister, cease to be an acting elder." (F. G., Ch. XIII, § 6.)

7. Suspension from office. "An elder may be suspended from his office, and not from the communion of the church." (Minutes G. A., 1836, p. 263.) Suspension is one of the censures connected with discipline. It is inflicted either as a result of due trial or for contumacy, and is not to be confused with the refraining from the exercise of office on the part of an accused person, referred to in Book of Discipline, Chapter IV, Section 33.

8. Deposition. Deposition, so far as office-bearing is concerned, is the supreme censure under the discipline of the Presbyterian Church. It is inflicted only for grave offences, such as immorality or heresy, and terminates absolutely the relation of the deposed person to the church as an officer. See "Restoration."

b. Miscellaneous.

1. Session to take order in cases of incapacity. "Whenever a ruling elder, from either of these causes, or from any other, not inferring crime, shall be incapable of serving the church to edification, the Session shall take order on the subject, and state the fact, together with the reasons of it, on their records." (F. G., Ch. XIII, § 7.)

2. Individual concurrence necessary unless Presbytery acts. "*Provided always*, that nothing of this kind shall be done without the concurrence of the individual in question, unless by the advice of Presbytery." (F. G., Ch. XIII, § 7.)

3. Memorial to Presbytery. "If a member of Session be unacceptable, and the matter cannot be arranged by consent, the proper step is to memorialize Presbytery." (Minutes G. A., O. S., 1867, p. 369.)

4. Presbytery may act independently of Session. "Presbytery has power to visit particular churches for the purpose of inquiring into their state, and to order whatever pertains to their spiritual welfare, without being requested by the Session." This deliverance was given in connection with the decision of a Presbytery that a certain

elder should cease to act. (Minutes G. A., O. S., 1869, p. 924.)

5. Any higher judicatory may act. Each of the higher courts, when the case of an elder is regularly before them, may order that he "shall cease to act." (Minutes G. A., O. S., 1863, p. 35.)

6. Resignation to be to the Session. "The resignation should be to the Session, and it will take effect when accepted." (Minutes G. A., 1883, p. 626.)

7. Resignation cannot be nullified by Presbytery. "It appears that Dr. ———— was removed from the Session of the church by his own resignation of his office in that church, and not by the judicial action of the Session; it was not competent [therefore] to the Presbytery to order his restoration to office by the Session." (Minutes G. A., O. S., 1854, p. 33.)

13. Trial of a Ruling Elder.

1. Sessional jurisdiction. Ruling elders are members of a particular church (F. G., Ch. XIII, § 2), and therefore "original jurisdiction in relation to" ruling elders pertains "to the Session." (B. D., Ch. IV, § 19.)

2. Charges may be ordered and tried by Presbytery. "But the higher judicatories may institute process in cases in which the lower have been directed so to do, and have refused or neglected to obey." (B. D., Ch. IV, § 19.)

3. Charges against all the elders in the Session to be tried by Presbytery. The case of two ruling elders, being the only acting elders of a church, who were accused of unchristian conduct, was referred to the Assembly, and it was "*Resolved*, That the Presbytery is the competent court to try these two elders." (Minutes G. A., 1825, p. 262.)

4. Office affords no immunity. No ruling elder "ought, on account of his office, to be screened from the

hand of justice, or his offences to be slightly censured." (B. D., Ch. VI, § 37.)

5. Caution as to charges. "Neither ought charges to be received against him on slight grounds." (B. D., Ch. VI, § 37.)

6. Offences committed at a distance. Any Session is required, if a probable offence committed by a ruling elder is made known to it, to notify the Session of which he is a member, and the latter Session, "on receiving such notice, shall, if it appears that the honor of religion requires it, proceed to the trial of the case." (B. D., Ch. VI, § 38.)

7. Sessional rights may be suspended. "If a judicatory so decides, a member shall not be allowed, while charges are pending against him, to deliberate or vote on any question." (B. D., Ch. VI, § 40.)

8. Suspension for contumacy. If a ruling elder "accused of an offence refuses to appear by himself or counsel, after being twice duly cited, he shall, for his contumacy, be suspended from his office; and if, after another citation, he refuses to appear by himself or counsel, he shall be suspended from the communion of the Church." (B. D., Ch. VI, § 39.)

9. Restrained from approaching the Lord's Table. "A judicatory may, if the edification of the Church demands it, require an accused person to refrain from approaching the Lord's Table." (B. D., Ch. VI, § 33.) This power of a judicatory is not to be confused with suspension, which can be inflicted only after trial.

10. Restrained from exercise of office pending trial. A Session "may, if the edification of the Church demand it require an accused" ruling elder "to refrain from the exercise of his office until final action in the case shall be taken: *provided*, that in all cases a speedy investigation or trial shall be had." (B. D., Ch. VI, § 46.)

11. Ordination vow. The ordination vow of the ruling elders, in cases of offences by ruling elders, adds to

the charge that the offence is "contrary to the Holy Scriptures" and "the regulations of the Church founded thereupon," the additional charge, that it is contrary to his ordination vow. See under "Ordination," p. 286.

12. Steps in the process against an elder. See under "Judicial Cases," pp. 132, 296.

13. Book of Discipline, Chapter VI, applicable. "In process by a Session against a ruling elder or a deacon, the provisions of this chapter, so far as applicable, shall be observed." (B. D., Ch. VI, § 47.)

14. Action upon slight charges. If the Session "finds, on trial, that the matter complained of amounts to no more than such acts of infirmity as may be amended and the people satisfied, so that little or nothing remains to hinder the usefulness of the offender, it shall take all prudent measures to remove the evil." (B. D., Ch. VI, § 43.)

15. Heresy and schism. Ruling elders, having adopted at ordination the Standards of the Church, are liable to trial for heresy and schism, and the offences "may be of such a nature as to call for deposition; but errors ought to be carefully considered, whether they strike at the vitals of religion and are industriously spread, or whether they arise from the weakness of the human understanding, and are not likely to do much injury." (B. D., Ch. VI, § 42.)

14. Restoration.

1. Restoration after suspension. Inasmuch as ruling elders are members of the churches in which they serve, the general directions with reference to restoration apply to them equally with other Church members, when they have been suspended from communion of the Church for an offence. See, therefore, Part III, under the head "Restoration."

2. Restoration to Church privileges does not necessarily restore to office. "Since an elder may be

suspended from his office and not from the communion of the Church, so there may be reasons for continuing his suspension from his office after he is restored to the privileges of the Church. He cannot be restored to the functions of his office without a special and express act of the Session for that purpose, with the acquiescence of the church." (Minutes G. A., 1836, p. 263.)

3. Restoration to office only, after deposition. A ruling elder "deposed for immoral conduct shall not be restored even on the deepest sorrow for his sin, until after some considerable time of eminent and exemplary, humble and edifying conduct; and he ought in no case to be restored, until it shall clearly appear to the judicatory within whose bounds he resides, that the restoration can be effected without injury to the cause of religion; and then only by the judicatory inflicting the censure, or with its advice and consent." (B. D., Ch. VI, § 44.)

15. Ruling Elders in the Higher Judicatories.

a. General Matters.

1. Who are eligible as members. All elders who are in active service under the permanent system, and all elders who are competent for service, are qualified for election to represent a church in Presbytery or Synod, or the Presbytery in Synod or General Assembly. See "The General Assembly," p. 301, and "Representation," p. 129.

2. Representation in Presbytery. See p. 129.

3. Representation in Synod. Where the Synod is composed of commissioners elected by the Presbyteries, it is the Presbytery, and not the Session, which elects ruling elders as representatives. See p. 131.

4. Number to be elected. The number of ruling elders to be elected by a Presbytery to either Synod or General Assembly is the same as the number of ministers chosen.

5. Service on committees. All the higher judi-

catories of the Presbyterian Church place ruling elders equally with ministers on the Standing Committees appointed to deliberate and report on the business of these judicatories. The chairmen of these committees are usually ministers, but not in all cases. Committees on financial matters usually have ruling elders as chairmen, and sometimes, as in the case of the General Assembly, such committees are composed entirely of ruling elders. Elders should be diligent and prompt in all committee duty.

6. Expenses of delegates. "In order, as far as possible, to procure a respectable and full delegation to all our judicatories, it is proper that the expenses of ministers and elders in their attendance on these judicatories, be defrayed by the bodies which they respectively represent." (F. G., Ch. XXII, § 3.) See also under "Representation," p. 129, and "Mileage," p. 303.

7. Ministerial acts. The distinction between judicatorial and ministerial acts in connection with Church courts is treated on p. 229, which see.

8. Ruling-elder moderators. "The moderator of the Synod, and of the General Assembly, shall be chosen at each meeting of those judicatories: and the moderator, or in case of his absence, another member appointed for the purpose, shall open the next meeting with a sermon, and shall hold the chair till a new moderator is chosen. In case the moderator of any judicatory, above the church Session, shall be a ruling elder, he may open the next meeting with an address; but any acts, appropriate only to an ordained minister of the gospel, shall be performed by a minister appointed by such ruling elder." (F. G., Ch. XIX, § 3.)

9. Limitations upon the ruling-elder moderator. The Assembly therefore answers that "an elder being moderator of Presbytery" cannot preside at the ordination of a minister, nor propound the Constitutional questions, nor take part in the laying on of the hands of the Presby-

tery, nor make the ordaining prayer. (Minutes G. A., 1890, p. 113.) See p. 275, 6.

10. Vice moderators. Under the provisions of Rule VII, of the General Rules for Judicatories, moderators of judicatories above the Sesssion may appoint a vice moderator. See p. 330.

b. The General Assembly.

1. Number of ruling elders to be appointed. As many ruling elders are to be elected from each Presbytery as there are ministers in the delegation. (F. G., Ch. XII, § 2.)

2. Who are qualified for appointment. The ruling elders who sit in General Assembly are chosen by the Presbyteries, and may be selected from any ruling elders connected with the churches of a given Presbytery. An overture to the Assembly of 1889 asked the question, "Would the election of a ruling elder as a commissioner to the General Assembly be valid, if at the time of his election he were not in the Presbytery electing him?" The Assembly answered, "Such election would be valid, if he is a member of a church under the care of the Presbytery." (Minutes G. A., 1889, p. 102.) Dig. 1922, Vol I, p. 424.

3. Time of appointment of commissioners. "The commissioners to the General Assembly shall always be appointed by the Presbytery from which they come, at its last stated meeting, immediately preceding the meeting of the General Assembly; provided, that there be a sufficient interval between that time and the meeting of the Assembly, for their commissioners to attend to their duty in due season; otherwise, the Presbytery may make the appointment at any stated meeting, not more than seven months preceding the meeting of the Assembly. And as much as possible to prevent all failure in the representation of the Presbyteries, arising from unforseen accidents to those first appointed, it may be expedient for each Presbytery, in the room of each commissioner, to

appoint also an alternate commissioner to supply his place, in case of necessary absence." (F. G., Ch. XXII, § 1.)

4. Method of appointment. The commissioners to General Assembly are usually chosen by ballot. An appointment by resolution, however, would be Constitutional.

5. Form of commission. "Each commissioner, before his name shall be enrolled as a member of the Assembly, shall produce from his Presbytery, a commission under the hand of the moderator and clerk, in the following, or like form viz.:

"The Presbytery of being met at on the day of doth hereby appoint bishop of the congregation of [or ruling elder in the congregation of as the case may be;"] (to which the Presbytery may, if they think proper, make a substitution in the following form) "or in case of his absence, then bishop of the congregation of [or ruling elder in the congregation of as the case may be:] to be a commissioner, on behalf of this Presbytery, to the next General Assembly of the Presbyterian Church in the United States of America, to meet at on the day of A.D. or wherever, and whenever the said Assembly may happen to sit; to consult, vote, and determine, on all things that may come before that body, according to the principles and constitution of this Church, and the Word of God. And of his diligence herein, he is to render an account at his return.

"Signed by order of the Presbytery,

"————, *Moderator.*

"————, *Clerk.*"

"And the Presbytery shall make record of the appointment." (F. G., Ch. XXII, § 2.)

6. Liberty of action of commissioners. Commissioners possess liberty of action within Constitutional

limits. The instructions of a commissioner to General Assembly are contained in his commission in the following words: "To consult, vote, and determine, on all things that may come before that body, according to the principles and Constitution of this Church, and the Word of God." In view of the fact that the commission issued to each commissioner is thus a part of the Form of Government, Presbyteries cannot instruct the commissioners, whom they may elect, as to the manner in which they shall vote upon any given subject. See Minutes G. A., 1928, p. 79.

7. Commissioners to present commissions. "The enrollment of commissioners and delegates takes place on the opening day of the General Assembly, and on the preceding day or days, according to public notice."

8. Rule as to alternates. "Alternates may take the place of principals, after principals have been seated, whenever said principals are obliged to withdraw from the Assembly by reason of sickness or other sufficient excuse." (Minutes G. A., 1886, p. 110.)

9. Substitute for alternate. In the absence of both principal and alternate, a person named to the Assembly by a petition from a majority of the members of a Presbytery, may be seated as a commissioner. (Minutes G. A., 1892, p. 10.)

10. Attendance of commissioners. Commissioners should attend with the expectation that the sessions will be of one week's continuance. It is expected they will continue in the Assembly until the close of its sessions.

11. Report of commissioners to Presbytery. Each Presbytery is directed to "require their commissioners to report whether they attended the session of the Assembly the whole time." (Minutes G. A., 1824, p. 217.)

12. Mileage fund. The expenses of commissioners in their attendance upon the General Assembly, both for railroad travel and for entertainment, are paid out of the General Assembly fund. This fund is raised by an apportionment upon the Presbyteries, voted by each General

Assembly. It is not an assessment, but is a method of providing for Assembly expenses, adopted under the provisions of Form of Government, Chapter XXII, Section 3.

III. THE DEACON.

1. Constitutional provisions. "The Scriptures clearly point out deacons as distinct officers in the church, whose business it is to take care of the poor, and to distribute among them the collections which may be raised for their use. To them also may be properly committed the management of the temporal affairs of the church." (F. G., Ch. VI.) See, also, caption No. 22, p. 308.

2. Diaconate a permanent office. The deacon is mentioned in Form of Government, Chapter III, Section 2, as one of the perpetual officers of the Church. The meaning of the word perpetual is, that "the office cannot be laid aside at pleasure. No person can be divested [of it] but by deposition." (F. G., Ch. XIII, § 6.)

3. History. The origin of the diaconate is narrated in Acts 6 : 1–7. The office had its equivalent in the Jewish synagogue in the officers specifically appointed for the care of the destitute. A special emergency in the church of Jerusalem, arising out of the neglect of certain widows in the distribution of the common fund, was the occasion of its establishment in the Christian Church. For a considerable period of time thereafter the office was limited to the serving of tables and the care of the poor. Gradually, the diaconate became regarded as a necessary step to the priesthood. Like other Church offices, it has been diverted from its original purposes by the Roman and other so-called Catholic Churches. The apostolic diaconate was revived in the Reformed Churches as early as 1526. Calvin regarded it as indispensable, and the care of the poor as its proper sphere. In the German and Holland Reformed Churches it is the duty of "the deacons to collect and to distribute the alms and other contri-

butions for the relief of the poor or the necessities of the congregation, and to provide for the support of the ministry of the gospel." A similar usage as to functions prevails in the majority of the Presbyterian Churches. For our own Church, see under caption No. 1, p. 304.

4. Qualifications, personal. The *Scriptural* qualifications of deacons are given in I Tim. 3 : 4, 8–10, 12, 13. They are as follows:

(1) Purity of life. "The husband of one wife."
(2) Gravity of conduct. "Likewise must the deacons be grave."
(3) Simplicity and sincerity. "Not doubletongued."
(4) Of temperate habits. "Not given to much wine."
(5) Unselfishness. "Not greedy of filthy lucre."
(6) Sound in the faith. "Holding the mystery of the faith in a pure conscience."
(7) Executive ability. "Ruling their children and their own houses well."

The apostle emphasizes the value of this office to the Church by declaring that "they that have used the office of a deacon well purchase to themselves a good degree, and great boldness in the faith which is in Christ Jesus." See, also, remarks on qualifications of ruling elders, p. 270.

5. Qualifications, Constitutional. The same as for ruling elders, for which see pp. 273-280.

6. Elders may be deacons. "While it is important and desirable that the several offices in the Christian Church should be kept distinct, and be sustained by several different individuals wherever a sufficient number of competent men can be found, yet it is not inconsistent with the Constitution of the Church, that where a necessity exists the same individual should sustain both offices." (Minutes G. A., O. S., 1840, p. 306.) "When a deacon in any church is elected and installed a ruling elder in the same church, he does not necessarily cease to exercise the functions of his office as deacon." (Minutes G. A., 1880, p. 56.)

7. Meetings for and mode of election. The same as for ruling elders, for which see pp. 280 and 282.

8. Term of service. Deacons may be elected either under the permanent service or the term service in the same manner as ruling elders [see p. 276]. If deacons are elected as trustees, it will be necessary in the matter of their terms of service to comply with the laws governing churches as religious corporations, and in force in the state where any given congregation is located.

9. Ordination and installation. The provisions are the same as for ruling elders. See pp. 286, 289.

10. Elders elected as deacons must be ordained. The requirement of the Form of Government is explicit that every person elected to the office either of elder or deacon shall be set apart to the office to which he has been elected in due form. (F. G., Ch. XIII, § 3.) An elder elected as a deacon, or a deacon elected as an elder, must therefore be set apart by ordination to the office to which he was last elected. The offices of the eldership and the diaconate are separate, and it is to be emphasized that the eldership, in the judgment of this Church, does not include the diaconate.

11. Duties. The general duty assigned by the Church to the deacons is the care of the poor, see p. 304. In many churches they are also entrusted with the charge of arrangements in connection with the Lord's Supper. (see p. 307.) In some churches they are made trustees. (see "Deacons as trustees," p. 308.) They are also empowered by the Form of Government, Chapter XXI, to preside over public worship in vacant churches. See p.110.

12. Must act as a board. The deacons, no more than the elders, can act on their individual responsibility. They should meet and organize as a board. "The moderator of the Board of Deacons shall be the pastor, or, in his absence, a deacon appointed by him. The board shall elect from its membership its own secretary and treasurer." (F. G., Ch. XXV, § 3.) The secretary should keep full records of

all proceedings, and the treasurer should pay out no money except by authority of the board.

13. Collection for the poor fund. This collection is usually taken at the close of each administration of the Sacrament of the Lord's Supper. (D. W., Ch. IX, § 5.)

14. Session and the poor fund. "The Session has no control over the funds in the hands of the deacons, but may advise respecting their use." (Minutes G. A., O. S., 1857, p. 24.)

15. Reports. The Board of Deacons should report to the annual meeting of the church upon its work, and it is proper that the board submit its minutes for review to the Session at least once a year.

16. Deacons and Session. It is advised that the Board of Deacons and the Session meet for conference at stated times, in order that there may be systematic and united action in connection with the work of the diaconate.

17. Deacons and the Lord's Supper. It is the custom in many churches to assign to the deacons the preparation for the administration of the Sacrament of the Lord's Supper, and the custody of the communion plate. The expense involved is paid out of the collections gathered on communion Sabbaths. "It is in accordance with Presbyterian law and usage that deacons distribute to the Church members the bread and wine in the Sacrament of the Lord's Supper." (Minutes, G. A., 1874, p. 84; 1877, p. 516.) But the same Assembly also referred the decision of the question as to when deacons should act at the Lord's Supper, to the "discretion of the Sessions."

18. Deacons and benevolent offerings. "Over charities collected for any other purpose than the care of the poor, their office gives them no control." (Minutes G. A., 1833, p. 405.) The general benevolent offerings are in charge of the Session. See p. 116.

19. Deacons and public charities. "The Assembly regards the office of deacon as providing proper Scriptural and feasible means, for such exercise of charity as will aid

in extending the influence of the Church among the poor, and opening the way for more direct spiritual communication." (Minutes G. A., 1871, p. 588.)

20. Deacons and church support. The deacons, as spiritual officers, have no power over or relation to the funds raised for church support.

21. Deacons and temporalities. To the deacons "may be properly committed the management of the temporal affairs of the church." (F. G., Ch. VI.) In the Church of Scotland the deacons manage all the temporal affairs of the congregation. In the American Church, however, it is customary to leave the decision as to the persons who shall manage church property to the congregation. A majority of the churches, as a result, commit the care of property to trustees. See under that head.

22. Deacons as trustees. If deacons are chosen as trustees of congregations, it should be distinctly understood that as trustees they are civil officers, and responsible for their conduct as such (1) to the congregation, (2) to the state.

23. Deacons and Church courts. "Deacons cannot be elected to represent either a church or a Presbytery in any of the Church courts." (Minutes G. A., O. S., 1860, p. 34.)

24. Retirement or resignation. See under "The Ruling Elder," p. 293.

25. Resignation to the Session. "The resignation of a deacon is to be tendered to the Session, and takes effect when accepted by that body." (Minutes G. A., 1883, p. 26.)

26. Trial and restoration. See under "The Ruling Elder," pp. 296–298.

27. Women deacons. See next page.

28. Churches without deacons. Where the church has not elected deacons, the Session should appoint one or more of the elders to act as a committee to perform the duties of the diaconate. As soon as possible, however, the Session should secure the election of deacons. "The

Presbyterian Church has always recognized the office of deacon; and the Assembly renewedly call the attention of the churches to the provisions of the Form of Government in the case." (Minutes G. A., 1871, p. 588.)

IV. THE DEACONESS.

Women have been engaged in the charitable work of the Christian Church from its establishment. But for a long period the Presbyterian Church declined to incorporate the office of deaconess into its system of Church government. With the increasing importance, however, of woman's part and place in the work of the Church, this privilege has been granted, and there are now three groups of women who are recognized in this general category. See p. 118.

First, in 1915, the Form of Government was amended (Ch. XIII, § 9) to permit of the election of women as deaconesses "in a manner similar to that appointed for deacons, and set apart by prayer," and it was further provided that they should be "under the supervision of the Session, and their duties indicated by that body."

Second, in 1922–1923, the Form of Government was further amended (Ch. XIII, § 2) to the effect that in electing church officers, while the elders must be men, the deacons may be either men or women. Women deacons, when thus elected, are upon acceptance of the office to be duly ordained thereto. (F. G., Ch. XIII, §§ 3, 4.)

Third, another type of deaconess is a woman who is a graduate of an approved training school, and for whose induction into office by a Presbytery, a detailed form of service, for such deaconesses only, has been recommended be the General Assembly, as follows:"When brought before the Presbytery with a favorable recommendation of the committee, the Presbytery having, if it deems desirable, further satisfied itself, shall proceed to set the candidates apart in the following way: The moderator shall propose

to each candidate the following questions: (1) Do you believe the Scriptures of the Old and New Testaments to be the Word of God, the only infallible rule of faith and practice? (2) Do you sincerely receive and adopt the Confession of Faith of this Church as containing the system of doctrine taught in the Holy Scriptures? (3) Do you approve of the government and discipline of the Presbyterian Church in these United States? (4) Have you been induced, as far as you know your own heart, to seek the office of deaconess from love of God and a sincere desire to promote his glory in the gospel of his Son? (5) Do you promise faithfully to perform all the duties of a deaconess, to study the peace, unity, and purity of the church where you may be employed, and to submit to the government of its Session?

"The candidates having answered these questions in the affirmative, the moderator of Presbytery shall thereupon set them apart to the service and office of deaconess by prayer. Any candidate who is a member of a church belonging to another Presbytery must secure from the Session of such church a written request asking this Presbytery to perform for her this office." (Digest, 1922, Vol. I, p. 358.)

V. THE TRUSTEES.

1. General.

1. Historical note. The Presbyterian churches in the American Colonies were not churches which were maintained by the Colonial or British Governments. The Established or State Churches in those early days were the Congregational in New England, the Dutch Reformed in New York, and the Protestant Episcopal in a number of the Colonies. As a consequence, Presbyterian churches were obliged to provide for the care of their property by conveyances to individuals, who were regarded as trustees,

and it was not until about the middle of the eighteenth century that charters began to be issued to them. The trustee system finds its origin, therefore, in the antagonism of the State in the early period of American history to the Presbyterian and other so-called dissenting Churches. With the achievement of American independence came religious liberty, and legislation which enabled all the churches freely and adequately to hold and manage their temporalities as churches.

2. Nature of the office. Trustees, when appointed or elected under the provisions of charters or civil statutes, are civil officers, and are vested with such powers as are conferred by said provisions. Trustees, when not appointed or elected by virtue of statutory or charter provisions, but chosen solely by the act of a religious society as the persons to hold its property, are not civil officers, but are nevertheless responsible to the civil authorities for the proper execution of their trust. See, also, "Personnel of the corporation," p. 222.

3. Recognition by the General Synod, 1752. "It is not inconsistent with the Presbyterian plan of government, nor the institution of our Lord Jesus Christ, that trustees, or a committee chosen by the congregation, should have the disposal and application of the public money raised by said congregation, to the uses for which it was designed; provided that they leave in the hands and to the management of the deacons, what is collected for the Lord's Table and the poor. And that ministers of the gospel, by virtue of their office, have no right to sit with or preside over such trustees or committees." (Minutes Gen. Synod, 1752, p. 249.)

4. Constitutional recognition, 1788. While deacons are indicated in the Constitution of the Church as the persons to whom "may be properly committed the management of the temporal affairs of the church," yet the right of the congregations to manage their property through trustees is also recognized. This recognition

appears first in the right accorded to a congregation, when calling a pastor, "to subscribe their call by their trustees." (F. G., Ch. XV, § 7.) It is also recognized in connection with the installment of ministers, it being provided that after such installment, among others, "those appointed to take care of the temporal concerns of that church, should come forward to their pastor, and give him their right hand, in token of cordial reception and affectionate regard." (F. G., Ch. XVI, § 7.) Chapter XXVII recently added (1928) to Form of Government gives instruction as to duties and qualifications of trustees, p. 331.

5. Method of appointment. Trustees, as civil officers, are appointed or elected by the congregation in accordance with the terms of the charter granted to the congregation by the state, or of the provisions of state law governing the management of church temporalities. It is impracticable to indicate the different methods prevalent in the several states. These can be ascertained by reference to the statutes.

6. Qualifications of trustees. No person is competent, ordinarily, to fill the office of trustee unless connected directly with a church or congregation, either as a communicant member or as a stated hearer. The statutory provisions in most of the states require that trustees shall be thus connected with the church, congregation, or society electing them. It is advised that in no case should a majority of the trustees be noncommunicants, and that at least one ruling elder be placed on the board.

7. Deacons or elders may be trustees. "The General Assembly recommends to those churches that adopt the system (term service for deacons) that, so far as practicable, they adopt the provision of the Form of Government, and make such deacons the trustees of their churches." (Minutes G. A., 1887, p. 119.) The reference to the foregoing deliverance is to the Form of Government, Chapter VI, which says concerning deacons, "To

them also may be properly committed the management of the temporal affairs of the church." When deacons are chosen as trustees the care of the property is vested in them as trustees or civil officers, and not as deacons or spiritual officers. In the Reformed Churches both elders and deacons are chosen as trustees, a course which has many advantages, and which would not be inconsistent with Presbyterian law.

8. Meeting of the corporation. Ordinarily, the charters, etc., of the churches require annual meetings of the corporation to be held for the election of trustees, and for the transaction of business dealing with the temporalities. Due notice of these meetings must be given, and all the provisions of the statute law carefully observed. Special meetings may be called on due notice for the transaction of special business. The presiding officer at all meetings should be elected by the members present, unless there be a by-law of the corporation, or a civil statute, designating a given person as such presiding officer. See p. 328.

9. Meetings of the trustees. Whether the trustees constitute the corporation, as in New Jersey, or whether they are officers of the incorporated congregation, as in Pennsylvania, they should hold regular meetings for the transaction of business. The time of these meetings should be fixed in the by-laws of the corporation.

10. Officers. The officers of the Board of Trustees are usually a president, a secretary, and a treasurer. They are chosen by the board for definite terms of service, unless the state law requires the election of the treasurer by the congregation. Their duties should be clearly indicated in the by-laws.

11. Qualifications of voters. The qualifications of voters vary in certain matters of detail in the several states and territories, but ordinarily it is true that communicant members of full age, and contributors likewise of full age, are qualified to vote for trustees. See p 331.

12. Powers. The powers conferred upon church trustees by the laws of the different states vary from full authority to manage down to mere title-holding. Care should be taken, therefore, to ascertain in each state the exact powers given to the trustees. In many of the states, such, for instance, as New Jersey and Kentucky, the trustees of religious societies are simply the title holders to property, and have no independent authority in its management and disposition. That management and disposition are vested in the congregation. The trustees, however, should be authorized to provide for the care of the property and the payment of current expenses. See also under next caption, and under "Use of Church Property," p. 322. Further, note that the trustees have no power over church worship. See pp. 316, 331.

13. Mortgages, etc. Financial obligations incurred by the trustees other than those directly connected with the current expenses of the congregation, before execution, should be approved by vote of the congregation at a regularly called meeting. While in one or two states the laws vest in the trustees the power to mortgage church property, etc., independent of congregational action, in the great majority of the states the provisions point to the method above designated as the only legal one.

14. Individual acts. No act of an individual trustee is legal unless authorized by the board at a regular or special meeting. All acts of the trustees should be, therefore, acts of the board.

15. Responsibility is to the congregation. The responsibility of the trustees is first to the congregation, whether that body be incorporated or not. The most effective way to disapprove of the action of trustees is to decline to reëlect them when their terms of service expire. If action taken by the trustees be highly unsatisfactory to a minority of the congregation, and in their judgment contrary to law, the remedy is by a suit in court.

16. Relation to the Session. See under "Trustees and the Session," this page.

17. Reports to the congregation. Each Board of Trustees should report annually to the meeting of the congregation upon all the affairs with which it has been entrusted. This report should include (1) an itemized statement of receipts and payments during the fiscal year just closed; (2) an itemized estimate of expenses for the current year; (3) requests for authority to assume financial obligations; and (4) a statement of the property and trust funds held by the trustees for the congregation, both as to amount and condition.

2. Trustees and the Session.

a. General.

1. Relation of the trustees to the Session. The relation between the Session of the church and the trustees of the congregation should be at all times fraternal and helpful. At least once a year the Session and the trustees should meet to consider together the financial condition of the organization. Further, it would be well if both bodies should come to a clear understanding as to their respective powers. See under the head, "Deliverances of the General Assembly," p. 323, and also the head, "Decisions of Civil Courts," p. 322. The Session is the superior body, both by civil and ecclesiastical law.

2. Reports to Session. The churches are required by the General Assembly to report annually, through the Session, to the Presbytery, the sums expended for congregational expenses. The trustees, therefore, should report annually to the Session upon such expenses, as matters of information

3. Reports to Presbyteries. The Book of Discipline, Chapter IX, Section 72, reads as follows: "All proceedings of the church shall be reported to, and reviewed by, the

Session, and by its order incorporated with its records. Every judicatory above a Session shall review, at least once a year, the records of the proceedings of the judicatory next below; and if the lower judicatory shall omit to send up its records for this purpose, the higher may require them to be produced, either immediately or at a specified time, as circumstances may determine."

Under the authority covered by this section, the General Assembly has directed that, annually, the original minutes of the Board of Trustees, or a certified copy of same, together with all reports made by the trustees to the corporation, shall be submitted to the Presbytery through the Session.

4. Trustees and worship. "Applying the fundamental law of the Presbyterian Church which gives the direction of the public worship to the minister and church Session, and the rules of law which define the rights of members in church organizations, to the question submitted to us in this case, we think that the exceptions to the proposed fourth amendment to the charter are well taken and must be sustained. The amendment proposes to give power to the trustees to appoint an organist, subject to the approval of the Session. The duties of an organist are connected with the public worship. This is solely under the control of the minister and church Session. It is a violation of the fundamental law of the Church to place this power in the hands of the trustees, even though it be qualified by requiring the approval of the Session. If provision be made by the congregation or the trustees for the employment of an organist, the exclusive power of appointment, direction, and removal of him belongs to the church Session; otherwise they have not that direction of the public worship which by the law of the Presbyterian Church is committed to them." (Walnut Street Church Case, Phila., Pa., 7 Phila. Reports, 310, 3 Brewster, 277. F. G., Ch. IX, § 7.) See also, "Sessional authority," pp. 105, 319.

5. Deliverance on uniting functions of Session and Board of Trustees. The following paper was presented from the floor of the last General Assembly [1929] and referred to the General Council:

"Whereas, the system of having two Boards, namely a Session and a Board of Trustees, often gives rise to dissension and strife; and

Whereas, the uniting of the functions of these two Boards into one Board would tend to unify and make for greater efficiency in the work of the Church; therefore,

Resolved, that this matter be referred to a Committee for study and report to the next General Assembly."

The General Council recommends the following in reply:

First, a union of the functions of the Session and of the Board of Trustees of a particular church could be effected by constitutional amendments. These amendments, however, to attain the desired end must be so radical in character and so far reaching in their effects if adopted, as to render their approval by the constitutional majority of the Presbyteries extremely doubtful; especially as in many minds there would be serious question whether said amendments would secure the peace and effectiveness sought.

Second, any particular church desiring to unite the functions of its Session and its Board of Trustees in one Board may attain this end under our Form of Government by electing the entire membership of the Board of Trustees from the membership of the Session, or by electing a large majority of the membership of the Board of Trustees from the membership of the Session. (Manual of Presbyterian Law for Church Officers and Members, [1928] p. 312, item 7.)

Third, in particular churches where the system of having two Boards, namely, a Session and a Board of Trustees, gives rise to dissension and strife, the causes are not far to seek. These causes may be grouped in three classes.

1. Misconception of or disobedience to the law of our Church as contained in our Form of Government.

The authority and duties of the Session are carefully outlined in the Form of Government, Chapter IX, and especially in Sections VI and VII. These Sections make it clear that the Session is the supreme governing body in every particular church. The Trustees are "subject in their official relations to the property, to the control of the Session of the church." (Manual of Presbyterian Law for Church Officers and Members, [1928] pp. 315–319.) This superiority has been decided both in our ecclesiastical and civil courts.

The sphere of responsibility of the Trustees is clearly presented in Form of Government, Chapter XXVII, Section V, which reads as follows:

"The duties of Trustees of a particular church corporation shall be confined exclusively to the management of the temporal affairs of said particular church corporation."

It may be said that this section does not detail with sufficient particularity the duties of the Trustees, and that even when read in connection with the laws relating to religious corporations of the given state this section is not sufficiently definitive. If this be so, then the remedy is for the corporation of the particular church in meeting regularly assembled to adopt by-laws in harmony with the Constitution of our Church and the laws of the given state which will define in more detail the duties of the Trustees. Suggestions for such by-laws will be found in the "Manual of Presbyterian Law for Church Officers and Members," [1928] pp. 323–327, and the pages just preceding these in this Manual contain authoritative information as to the exact status and powers of Trustees in a particular church. Attention in this connection is directed also to Form of Government, Chapter XXVII, Sections III–IX.

2. Imperfect business methods.

It should be borne in mind, that no constitutional provisions or corporation by-laws can prevent conflict of authority or personal friction. Consultation and coopera-

tion are commonplaces in the business world. They should be commonplaces in the ecclesiastical sphere.

Frequent joint meetings of the Session and Trustees are most helpful in obtaining and maintaining happy and harmonious relations. Such meetings should be presided over by the pastor of the church and the conclusions reached should always be regarded as advisory and never as mandatory. A joint meeting of the Session and the Board of Trustees of a particular church has no authority to take final action upon any question. The Session must determine matters which fall within its sphere and the Trustees likewise. (Form of Government, Chapter IX, Sections VI–VII; Chapter XXVII, Section V.)

While there are from time to time varied problems which should receive the joint consideration of the Session and Trustees, a proper management of the finances of the particular church is likely to require continuous attention from both bodies, and occasionally joint action. Particularly is this true in connection with the raising annually of the funds needed to meet the benevolence and current expense obligations of the church. Unless wise and well matured cooperation in this connection is forthcoming at the proper time, sooner or later unfortunate difficulties and differences of opinion are likely to arise.

To prevent such a situation, a detailed benevolence budget should be annually prepared and approved by the Session, and communicated to the Trustees for their information. A detailed current expense budget should be annually prepared and approved by the Trustees and submitted to the Session for approval. The Session and Trustees may well hold a joint meeting at which the benevolence budget approved by the Session may be, as just suggested, communicated to the Trustees, and the current expense budget submitted, as just suggested, by the Trustees to the Session for approval. At said joint meeting the Session may find good reasons existing for some modification of the approved benevolence budget and the Trustees reasons for modifications in the current

expense budget. Most brotherly cooperation should be maintained in these actions by Session and Trustees.

In addition to this joint meeting of Session and Trustees, an increasing number of churches are finding it wise to hold a congregational and a corporation meeting in the same meeting place, the latter assembling upon the adjournment of the former. At the congregational meeting both budgets are presented for approval and at the corporation meeting, the current expense budget already approved at the congregational meeting, is presented for approval. It should be remembered in this connection, that the legal voters in congregational and corporation meetings of a particular church are identically the same, except in corporation meetings no person under twenty-one years of age is eligible to vote. (Manual of Presbyterian Law for Church Officers and Members, [1928] pp. 207–209.) It should be borne in mind, also, that in the election of ruling elders the General Assembly has recommended that communicant members only should vote. (Manual of Presbyterian Law for Church Officers and Members, [1928] pp. 276–285; see particularly p. 285, item 13.)

The benevolence funds should always be under the exclusive control of the Session and should never be deposited with current expense funds. The authorized expenditures of the current expense fund should be clearly defined item by item in the budget. In particular it should be made perfectly clear that the sum for music shall be disbursed under the direction of the church session. Furthermore, every current expense budget should contain an item for the necessary expenses of the Session, vouchers to be drawn thereupon by a designated member of the Session.

It is sometimes contended on technical grounds that the spheres of responsibility in the raising of funds by the Session and by the Trustees are quite separate. Experience is proving that in churches where the Session and the Trustees, rising above technicalities, voluntarily accept joint responsibility for the raising of funds, whether for benevolences, current expenses, building enterprises, or

other purposes, larger sums for all contemplated purposes are forthcoming. In churches where budgets are prepared, approved and promoted as above outlined, and where a canvass committee is authorized by congregational, and if appropriate, by corporation action also, and heartily supported both by Session and Trustees, it is relatively easy to secure the sums for whatever purpose desired.

Our particular churches should also be reminded that the General Assembly urges the presence in every particular church of two treasurers, one for benevolence funds elected by the Session and ordinarily known as the Sessional treasurer, and one for current expenses, elected by the Trustees or by the corporation, and ordinarily known as the church treasurer. (General Assembly Minutes, 1925, Part I, p. 108.)

3. Personalities. The origin of dissension and strife as between Sessions and Trustees is not infrequently due to the presence in one or both bodies, by reason of our human frailties, of misinformed, or tactless, or domineering individuals. A church should, for the sake of its own peace and prosperity, refrain from electing to or continuing in office persons possessing any of these characteristics. No laws or regulations, ecclesiastical or civil, can take the place of or afford a remedy for the absence of Christian courtesy, consideration and cooperation.

4. Attention is called to Form of Government, Chapter VI, "Of Deacons" which reads in part: "To them also may be properly committed the management of the temporal affairs of the Church." It is to be noted that this section offers an alternative plan by which Trustees may be ordained men, without being ruling elders. It may be that under certain conditions, this solution of the problem of a particular church will prove the wisest one.

The references in the above are made to the "Manual of Presbyterian Law for Church Officers and Members," 1928 edition, because this book is readily accessible to all Sessions and Boards of Trustees.—Minutes G. A., 1930, p. 157.

b. Uses of Church Property.

(1) Decisions of Civil Courts.

1. Trustees subject to the Session. "The trustees obviously hold possession for the use of the persons who, by the Constitution, usages and laws of the Presbyterian body, are entitled to that use. They are liable to removal by the congregation for whom they hold this trust; and others may be substituted in their places. They have no personal ownership or right beyond this, and are subject, in their official relations to the property, to the control of the Session of the church." (Digest, 1922, Vol. I, p. 84; for decision in full, Digest, 1922, Vol. II, p. 359.) (U. S. Supreme Court, Watson vs. Jones, 13 Wallace, 679.)

2. Powers of the Session. "The possession of the elders, though accompanied with larger and more efficient powers of control, is still a fiduciary possession. It is as a Session of the church alone that they could exercise power. Except by an order of the Session in regular meeting, they have no right to make any order concerning the use of the building; and any action of the Session is necessarily in the character of representatives of the church body by whose members it was elected." (Digest, 1922, Vol. I, p. 84; for decision in full, Digest, 1922, Vol. II, p. 360.)

3. The congregation a voluntary association. In connection with the whole subject of the uses of church property, it is important to bear in mind that every religious society or church is, in the eye of the civil law, a voluntary association, and that such associations have the right to determine their own rules and usages. This right has been repeatedly recognized by the civil courts, and especially in the case of religious societies. Further, where a congregation is affiliated with a denomination, the laws and usages of the denomination are of force in the congregation, and cannot be set to one side. For this reason the deliverances of the General Assembly have an important bearing on the powers of the trustees. Where

the civil law is silent, the ecclesiastical law is operative. See below, this page.

(2) Deliverances of the General Assembly.

1. Trustees hold solely for church uses. "Where a church edifice is held by trustees, the legal title is vested in them, and having the title, the custody and care of the property pertain to them for the uses and purposes for which they hold the trust. These uses and purposes are the worship of God and the employment of such other means of spiritual improvement as may be consistent with the Scriptures and according to the order of the church; to which may be added congregational meetings for business relating to the church or corporation." (Minutes G. A., O. S., 1863, p. 43.)

2. Session controls trustees in the religious uses. "By the Constitution of the Church, the Session is charged with the supervision of the spiritual interests of the congregation; and this includes the right to direct and control the use of the building for the purposes of worship, as required or established by the special usage of the particular church or the Directory for Worship. This being the principal purpose of the trust, the trustees are bound to respect the wishes and action of the Session as to the use and occupation of the house of worship. The Session is the organ or agent through whom the trustees are informed how and when the church building is to be occupied; and the trustees have no right to refuse compliance with the action of the Session in this regard." (Minutes G. A., O. S., 1863, p. 44.)

"As regards the church building, Sabbath school, and lecture room, the use of either can be granted only with the consent of the Session." (Minutes G. A., 1874, p. 84.)

"In the use of the property of the church for all religious purposes or ecclesiastical uses, the trustees are under the control of the Session." (Minutes G. A., 1892, p. 189.)

3. Trustees cannot interfere with Session. "The

Constitution of our Church charges the Session with the supervision of the spiritual interests of the congregation and all services and matters pertaining thereto, and any action by the Board of Trustees tending to annul or contravene in any way such supervision and control is illegal and void." (Minutes G. A., 1891, p. 187.)

4. Method of settlement of differences. "When the trustees grant the use of the house to others, contrary to the express wishes of the Session, and as they suppose to the prejudice of the cause of religion and of that church, the proper appeal is first to the persons composing the congregation, to whom the trustees are responsible; secondly, to the Presbytery, for their advice; and finally, if necessary, to the legal tribunals." (Minutes G. A., O. S., 1863, p. 44.) See caption No. 1, p. 323. "In any case of conflict between the Session and trustees the first appeal is to be taken to the people composing the congregation, and, if necessary, then to the civil tribunals." (Minutes G. A., 1892, p. 189.)

5. Extent of Sessional authority. "The General Assembly takes notice that the exclusive authority of the Session over the worship of the church, including not only the time and places of preaching the Word, but also the music and the use of the church buildings, is not sufficiently appreciated by the Church at large, and that there are frequent complaints that trustees of congregations assume powers and authority, especially over music and the use of church buildings, which are not warranted by, but in conflict with, the Constitution of the Church. The Assembly enjoins upon the churches loyal adherence to our Form of Government, providing that the authority of the Session over all matters of worship is paramount, and at the same time recommends that all such questions be treated by the Session with Christian tact and courtesy, in the spirit of love and forbearance." (Minutes G. A., 1893, p. 90.) See p. 105, also caption No. 1, p. 322.

c. Rights to Church Property.—Judicial Decisions.

The decisions of the civil courts affecting the rights to property held by churches and religious societies are numerous. For the purposes of this Manual the statements following are sufficient. These statements exhibit concisely the decisions of civil courts connected with certain property rights—decisions based upon the principle that *ecclesiastical decisions are final in ecclesiastical matters*—i. e., where the highest ecclesiastical authority of a denomination decides questions of Church law, discipline, or usage, or acknowledges certain parties as being the parties entitled to due ecclesiastical recognition, such decisions will not be reviewed in the civil courts, but will be regarded by them as final. (See Digest, 1922, Vol. I, pp. 700–705.)

(1) State of Virginia Case.

"When property, real or personal, is vested in a religious society, whether incorporated or not, as a church or congration for the worship of Almighty God and the promotion of piety and godly living, it is a charitable use, whether the donors be one or many. The corporation or society are trustees, and can no more divert the property from the use to which it was originally dedicated than any other trustee. If they should undertake to divert the funds, equity will raise some other trustee to administer them, and apply them according to the intention of the original donors or subscribers." In a case which arose in the State of Virginia, the majority of a Methodist Protestant church withdrew from that denomination and joined the Methodist Episcopal Church. Said majority claimed the right to take the property with them, and the legislature of Virginia passed an act providing that in the case of the division of a church or religious society a majority of the members should determine the rights of church property, after report duly made to a civil court. The decision

rendered in the case was, that the provision respecting contracts in the Constitution of the United States, and found also in the Constitution of Virginia, made the said act of the legislature void, and that the property could not be so diverted.

(2) Westminster Church Case.

The Westminster Church, in the Presbytery of New York, was dissolved by said Presbytery in 1908, and the question thereupon arose as to the disposition of the valuable property. After prolonged litigation in both the ecclesiastical and civil courts, the principles contended for by the Presbytery of New York were in 1924 finally sustained throughout by the New York Court of Appeals, and are as follows:

"1. Presbytery has power to dissolve a Presbyterian Church, the spiritual body of which thereupon ceases to exist.

"2. The members of the dissolved church thereby lose all their interest in the property standing in the name of the corporation.

"3. The corporation of the dissolved church merely holds a naked legal title to the property in trust for the denomination, and can be compelled to transfer the property either to the Presbytery, or to a successor church organized by the Presbytery.

"4. The successor church organized by Presbytery is entitled to the use and benefit of the church property formerly belonging to the dissolved church, and to have the legal title conveyed to it."

Thus is established in law the right of the Presbytery to sole authority over the property of a dissolved church. (See opinions, Court of Appeals, New York, in 211 N. Y., 214 N. Y. 305, 222 N. Y. 642; also opinion of referee filed with county clerk, June 26, 1922, and order confirming same filed ditto October 26, 1922; also order of Supreme

Court dismissing appeal of Westminster Church in 209 A. D. 862.)

(3) Miscellaneous Matters.

1. Divided church. Where a particular church or congregation is divided by reason of controversy, and a schism results, that party which secures the recognition of the highest ecclesiastical court of the denomination will be recognized by the civil courts as the church.

2. Seceding members. The members of any church, whether independent or denominational, who secede therefrom and form a new church, lose all their rights in the property. Voluntary withdrawal is equivalent to a surrender of their rights.

3. Amicable separation. Where a church is divided by agreement as between parties, the property should be distributed between them proportionately to the number of the members at the time of separation. This distribution should be made by a vote of the congregation, and should thereafter be approved by the Presbytery.

4. Minority controls in certain cases. If the majority of the members of a church belonging to a denomination withdraws from the denomination, they cannot take the property with them. If the withdrawal be persisted in, the result will be to give the control of the property to the minority who adhere to the denomination.

5. Property of denominational churches. The property of denominational churches, in cases of dispute, will be given by the civil courts to those persons who are recognized by the highest denominational court as being the church or congregation. For instance, the property of a Presbyterian church, should the church unhappily be divided by controversy, will be given by the civil courts to that portion of the church which is recognized as the church by the highest Church court.

6. Denominational divisions. Where a denomination is divided by reason of controversy, the use of the

property of its congregations, in each case, will be in those persons who are in harmony with the supreme ecclesiastical authority. The ecclesiastical connection is indissoluble.

d. By-Laws of the Corporation.

The following by-laws are suggested for the government of the corporation. The church, frequently, by the laws of the state in which it is located, may be a corporation. Where this is the case, the by-laws must be conformed to the civil statutes in force, and also to the Constitution of the Presbyterian Church in the U. S. A. See caption No. 3, p. 322.

1. Authority of the by-laws. The by-laws of this Church as a corporation shall be always subordinate to the Constitution and laws of the State of — —, and also to the Constitution of the Presbyterian Church in the U. S. A.

2. Annual meeting of the corporation. There shall be an annual meeting of the corporation on ——— for the transaction of any business properly coming before such meeting. Trustees shall give notice of this meeting from the pulpit on the two successive Sundays next preceding, and shall post it on the door of the church edifice.

3. Special meetings. The trustees may call special meetings of the corporation whenever in their discretion it is advisable. Ten days' notice of such meetings shall be given from the pulpit, specifying the business to be proposed, to which business the action of the meeting shall be confined. (Digest, 1922, Vol. I, p. 83.)

4. Chairman. The Board of Trustees may nominate the presiding officer for meetings of the corporation, but any qualified elector may also nominate such officer.

5. Secretary. The secretary of the Board of Trustees shall be the secretary of the meetings of the church as a corporation.

6. Quorum. Ten male electors shall be a quorum for the transaction of business at any meetings of the corporation.

7. Voters at meetings of the corporation. The following persons are entitled to vote for trustees, and in all meetings of the church which deal with the temporalities of the church: (1) All members of the church in good and regular standing who are of full age; (2) all those persons who regularly contribute according to their own engagements and the rules of this church to the support of the church, who are of full age; *provided*, that neither the statutes of the state relating to religious corporations, nor the charter of the church do not order otherwise.

8. Number of the trustees. The Board of Trustees shall consist of six (or more) contributing electors, chosen at first to serve one, two and three years respectively, and whose successors shall be elected annually to serve for three years or until their successors are chosen.

9. Who may be trustees. At least two thirds of the trustees shall be communicants in this church in good and regular standing; the remaining one third may or may not be communicants at the pleasure of the corporation. See caption No. 7, p. 312.

10. Increase of the trustees. The number of the trustees may be increased at any regular meeting of the congregation, subject to the provisions of the laws of the state in connection with the matter.

11. Vacancies. Vacancies in the Board of Trustees shall be filled by the corporation at a special meeting, of which ten days' notice shall be given, unless the vacancy occur within two months of the regular annual meeting. At said regular meeting any vacancies may be filled.

12. Powers of trustees. The trustees shall have, possess, and exercise only such powers as are vested in them by civil statute or by vote of the corporation.

13. Duties of trustees. It shall be the duty of the trustees to take charge of all real and other property of the church, and permit its use only for such purposes as shall be approved by the church Session. They shall take charge of the charter and seal of the corporation. They shall collect all the revenues of the church, excepting collections for the poor, for benevolent and missionary objects, and for the Lord's Table. They shall disburse the sums collected by them as may be authorized by the congregation, and are in no wise to incur liability or expense for any one year of more than three hundred dollars, unless duly authorized. They shall submit annual reports to the corporation at the regular meetings. They may makes rules for their own government not inconsistent with the Constitution of the Presbyterian Church in the U. S. A., the Constitution of the state, and these by-laws. No trustee shall contract or pay bills that have not first received the approval of the board in open meeting, except bills of current expenses already authorized.

14. Books of the trustees. The books and accounts of the trustees shall not be open to the inspection of members of the corporation, but the Session shall at all times have access thereto.

15. Reports of trustees. The trustees shall report annually to the corporation, (1) the receipts and payments for the fiscal year last ensuing; (2) an estimate of expenses for the current year; (3) new business necessary to be undertaken for the welfare of the congregation; (4) an exhibit of the real property, trust funds, and other resources of the congregation.

16. Amendments. These by-laws shall not be altered or amended, unless such alteration and amendment be submitted in writing at a stated meeting, to be acted upon at a subsequent meeting, two weeks' notice having been given from the pulpit, and a two-thirds vote of those present being necessary for such alteration or amendment

e. Incorporation of Church Judicatories

Form of Government, Chapter XXVII.

Of the Incorporation of the General Assembly, Synods, Presbyteries, and Churches, and their Members, Officers, and Meetings, and of Church Property.

I. The General Assembly shall always maintain a corporation so as to enable it to receive, hold and transfer property, and to facilitate the management of its temporal affairs, in such manner as may be directed by the General Assembly from time to time.

II. Each Presbytery and each Synod shall cause a corporation to be formed and maintained under the laws of the state where it is located, so as to enable it to receive, hold and transfer property, and to facilitate the management of its temporal affairs, in such manner as may be directed by the Presbytery or the Synod from time to time.

III. Each particular church shall cause a corporation to be formed and maintained under the laws of the state where it is located, so as to enable it to receive, hold and transfer property, and to facilitate the management of its temporal affairs.

IV. All communicant members of a particular church of the full age of twenty-one years, in good and regular standing, and all other persons of full age who are regular contributors to the maintenance and support of the church and its benevolences, in accordance with the plan of giving adopted by said church, shall be entitled to vote at all particular church corporation meetings.

V. The duties of trustees of a particular church corporation shall be confined exclusively to the management of the temporal affairs of said particular church corporation.

VI. At least two thirds of the trustees of a particular church corporation shall be communicant members of said church.

VII. Unless otherwise provided for, all particular church corporation meetings shall be called by giving public notice thereof from the pulpit, on the two successive Sundays next preceding such meeting.

VIII. Voting by proxy shall not be permitted, except in those states where voting by proxy in religious corporations is expressly authorized by statute.

IX. Whenever hereafter a particular church is formally dissolved by the presbytery, or has become extinct by reason of the dispersal of its members, the abandonment of its work, or other cause, such property as it may have, both real and personal, shall be held, used and applied for such uses, purposes and trusts as the presbytery may direct, limit and appoint, in conformity with the Constitution of the Presbyterian Church in the U. S. A.

V.

RULES FOR JUDICATORIES.

V.

RULES FOR JUDICATORIES.

I. GENERAL RULES FOR JUDICATORIES.

The following "General Rules for Judicatories," not having been submitted to the Presbyteries, make no part of the Constitution of the Presbyterian Church. Yet the General Assemblies of 1871, 1885, and 1887, considering uniformity in proceedings in all subordinate judicatories as greatly conducive to order and despatch in business, having revised and approved these rules, recommended them to all the lower judicatories of the Church for adoption. It should be carefully noted that the titles in boldfaced type are not part of the rules, nor are the bracketed comments.

I. **Opening of meeting.** The Moderator shall take the chair precisely at the hour to which the judicatory stands adjourned [or is summoned to meet]; and shall immediately call the members to order; and, on the appearance of a quorum, shall open the session with prayer.

II. **Those eligible to preside if Moderator be absent.** If a quorum be assembled at the time appointed, and the Moderator be absent, the last Moderator present, *being a commissioner*, or if there be none, the senior member present, shall be requested to take his place without delay, until a new election.

III. **Quorum absent.** If a quorum be not assembled at the hour appointed, any two members shall be competent to adjourn from time to time, that an opportunity may be given for a quorum to assemble.

IV. **Moderator and business.** It shall be the duty of the Moderator, at all times, to preserve order, and to endeavor to conduct all business before the judicatory to a speedy and proper result.

V. **Moderator and docket.** It shall be the duty of the Moderator, carefully to keep notes of the several articles of business which may be assigned for particular days, and to call them up at the time appointed.

VI. **Moderator and points of order.** The Moderator may speak to points of order, in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the judicatory by any two members.

VII. **Moderator appointing committees and vice moderator.** The Moderator shall appoint all committees, except in those cases in which the judicatory shall decide otherwise. In appointing the Chairmen of the Standing Committees, the Moderator may appoint a Vice Moderator, who may occupy the chair at his request, and otherwise assist him in the discharge of his duties.

VIII. **Moderator, vote of.** When a vote is taken by ballot in any judicatory, the Moderator shall vote with the other members; but he shall not vote in any other case, unless the judicatory be equally divided; when, if he does not choose to vote, the question shall be lost.

IX. **Committee, chairman of.** The person first named on any committee shall be considered as the chairman thereof, whose duty it shall be to convene the committee; and, in case of his absence or inability to act, the second named member shall take his place and perform his duties.

[In ordinary practice it is the rule to appoint on a committee to consider a subject, persons holding differing views. When, however, a committee is appointed to carry out a policy already decided upon, its membership should be composed of persons favoring such policy.]

X. **Clerk to form complete roll for Moderator.** It shall be the duty of the clerk, as soon as possible after the commencement of the sessions of every judicatory, to form a complete roll of the members present, and put the same into the hands of the Moderator. And it shall also be the duty of the clerk, whenever any additional members take their seats, to add their names, in their proper places, to the said roll.

XI. **Clerk, duty of.** It shall be the duty of the clerk immediately to file all papers, in the order in which they have been read, with proper indorsements, and to keep them in perfect order. The Stated Clerk shall receive all overtures, memorials and miscellaneous papers addressed to the judicatory; shall make record of the same and deliver them to the Committee on Bills and Overtures for appropriate disposition or reference. This committee shall have the floor on the reassembling of the judicatory after each adjournment, to report its recommendations as to orders of business or reference of papers, and this right of the committee shall take precedence of the Orders of the Day. This committee shall report the papers retained by it as well as those recommended for reference to other committees, and no committee shall report on matters which have not been referred to it by the judicatory.

XII. **Minutes, last meeting.** The minutes of the last meeting of the judicatory shall be presented at the commencement of its sessions, and, if requisite, read and corrected.

XIII. **Unfinished business.** Business left unfinished at the last sitting is ordinarily to be taken up first.

XIV. **Motions, how made.** A motion made must be seconded, and afterward repeated by the Moderator, or read aloud, before it is debated; and every motion shall be reduced to writing, if the Moderator or any member require it.

XV. **Motions, withdrawal.** Any member who shall have made a motion shall have liberty to withdraw it, with the consent of his second, before any debate has taken place thereon; but not afterwards, without the leave of the judicatory.

XVI. **Motions, division.** If a motion under debate contain several parts, any two members may have it divided, and a question taken on each part.

XVII. **Blanks, filling.** When various motions are made with respect to the filling of blanks with particular numbers or times, the question shall always be first taken on the highest number and the longest time.

XVIII. **Motions, debatable.** Motions to lay on the table, to take up business, to adjourn, and the call for the previous question, shall be put without debate; but it shall not be in order for anyone debating another motion to propose the motion to lay on the table or the previous question, at the close of his remarks, unless he shall obtain the floor again for that purpose. On questions of order, postponement, or commitment, no member shall speak more than once. On all other questions each member may speak twice, but not oftener, without express leave of the judicatory.

XIX. **Motions, precedence.** When a question is under debate, no motion shall be received, unless to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit, or to amend; which several motions shall have precedence in the order in which they are herein arranged; and the motion for adjournment shall always be in order. [The motion to adjourn is not in order while a member has the floor, neither is it in order when repeated, unless other business has been in the meantime under consideration.]

XX. **Amendments.** An amendment, and also an amendment to an amendment, may be moved on any motion; but a motion, to amend an amendment to an amendment, shall not be in order. Action on amend-

ments shall precede action on the original motion. A substitute shall be treated as an amendment. [In General Assembly practice an amendment may be laid on the table without affecting another amendment or the original motion.]

XXI. **Motions to lay on the table.** A distinction shall be observed between a motion to lay on the table *for the present*, and a motion to lay on the table *unconditionally* viz.: A motion to lay on the table, *for the present*, shall be taken without debate; and, if carried in the affirmative, the effect shall be to place the subject on the docket, and it may be taken up and considered at any subsequent time. But a motion to lay on the table *unconditionally* shall be taken without debate; and, if carried in the affirmative, it shall not be in order to take up the subject during the same meeting of the judicatory, without a vote of reconsideration.

XXII. **Previous questions.** The previous question shall be put in this form, namely, "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present; and the effect shall be to put an end to all debate and bring the body to a direct vote: First, on a motion to commit the subject under consideration (if such motion shall have been made); secondly, if the motion for commitment does not prevail, on pending amendments; and lastly, on the main question.

XXIII. **Reconsideration.** A question shall not be again called up or reconsidered at the same sessions of the judicatory at which it has been decided, unless by the consent of two thirds of the members who were present at the decision; and unless the motion to reconsider be made and seconded by persons who voted with the majority. A question shall not again be called up or reconsidered at a meeting of a judicatory subsequent to that at which it was decided unless at least ten days' notice in the case of a session or a Presbytery, and at least

thirty days' notice in the case of a Synod, shall have been given the members of the judicatory through the Stated Clerk, or in the case of his death or disability through the Moderator of the judicatory, of the precise wording of the resolution of reconsideration and of proposed subsequent action, if reconsideration be voted (such as amend, annul, expunge, exscind, rescind). Reconsideration and any proposed subsequent action (such as amend, annul, expunge, exscind, rescind), under the above procedure, may when the judicatory convenes, be moved or seconded by any member of the judicatory present and a majority vote of the members present shall determine.

XXIV. **Indefinite postponement, reconsideration.** A subject which has been indefinitely postponed, either by the operation of the previous question or by a motion for indefinite postponement, shall not be again called up during the same sessions of the judicatory, unless by the consent of three fourths of the members who were present at the decision.

XXV. **Silent members.** Members ought not, without weighty reasons, to decline voting, as this practice might leave the decision of very interesting questions to a small proportion of the judicatory. Silent members, unless excused from voting, must be considered as acquiescing with the majority.

XXVI. **Taking the vote. Vote at time named.** When the Moderator has commenced taking the vote, no further debate or remark shall be admitted, unless there has evidently been a mistake, in which case the mistake shall be rectified, and the Moderator shall recommence taking the vote. If the house shall pass the motion to "vote on a given subject at a time named," speeches shall thereafter be limited to ten minutes. Should the hour for adjournment or recess arrive during the voting, it shall be postponed to finish the vote, unless the majority shall vote to adjourn; in which case the voting shall, on the reassembling of the house, take precedence of all

other business till it is finished. Under this rule the "yeas and nays" shall not be called except on a final motion to adopt as a whole. This motion to fix a time for voting shall be put without debate.

XXVII. **Yeas and nays.** The yeas and nays on any question shall not be recorded, unless required by one third of the members present. If division is called for on any vote, it shall be by a rising vote without a count. If on such a rising vote the Moderator is unable to decide, or a quorum rise to second a call for "tellers," then the vote shall be taken by rising, and the count made by tellers, who shall pass through the aisles and report to the Moderator the number voting on each side.

XXVIII. **Personal reflections.** No member, in the course of debate, shall be allowed to indulge in personal reflections.

XXIX. **Floor, right to the.** If more than one member rise to speak at the same time, the member who is most distant from the Moderator's chair shall speak first. In the discussion of all matters where the sentiment of the house is divided, it is proper that the floor should be occupied alternately by those representing the different sides of the question.

XXX. **More than three members standing.** When more than three members of the judicatory shall be standing at the same time, the Moderator shall require all to take their seats, the person only excepted who may be speaking.

XXXI. **Members, respect for Moderator.** Every member, when speaking, shall address himself to the Moderator, and shall treat his fellow members, and especially the Moderator, with decorum and respect.

XXXII. **Interruptions.** No speaker shall be interrupted, unless he be out of order; or for the purpose of correcting mistakes or misrepresentations.

XXXIII. **Private conversation.** Without express permission, no member of a judicatory, while business

is going on, shall engage in private conversation; nor shall members address one another, nor any person present, but through the Moderator.

XXXIV. **Members, conduct of. Call to order.** It is indispensable that members of ecclesiastical judicatories maintain great gravity and dignity while judicially convened; that they attend closely in their speeches to the subject under consideration, and avoid prolix and desultory harangues; and when they deviate from the subject, it is the privilege of any member, and the duty of the Moderator, to call them to order.

XXXV. **Disorderly members.** If any member act, in any respect, in a disorderly manner, it shall be the privilege of any member, and the duty of the Moderator, to call him to order.

XXXVI. **Appeal from Moderator's decisions.** If any member consider himself aggrieved by a decision of the Moderator, it shall be his privilege to appeal to the judicatory, and the question on the appeal shall be taken without debate. [The appeal from the chair is ordinarily put in the following manner: "Shall the decision of the chair stand as the decision of the judicatory?"]

XXXVII. **Retiring members.** No member shall retire from any judicatory without the leave of the Moderator, nor withdraw from it to return home without the consent of the judicatory.

XXXVIII. **Private sessions.** All judicatories have a right to sit in private on business which, in their judgment, ought not to be matter of public speculation.

XXXIX. **Interlocutory meetings.** Besides the right to sit judicially in private, whenever they think proper to do so, all judicatories have a right to hold what are commonly called "interlocutory meetings," in which members may freely converse together, without the formalities which are usually necessary in judicial proceedings.

XL. **Moderator's announcement, judicial sessions.**

Whenever a judicatory is about to sit in a judicial capacity, it shall be the duty of the Moderator solemnly to announce, from the chair, that the body is about to pass to the consideration of the business assigned for trial, and to enjoin on the members to recollect and regard their high character as judges of a court of Jesus Christ, and the solemn duty in which they are about to act.

XLI. **Committee on Judicial Business.** It is expedient that Synods and Presbyteries appoint a Standing Committee, to be known as "the Committee on Judicial Business," to whom shall be referred all papers and questions of a judicial nature, and whose duty it shall be to recommend to the judicatory answers to judicial questions, and orders of procedure in all judicial cases. The members of the Committee on Judicial Business are not debarred by their appointment from sitting and voting as members of the judicatory.

XLII. **Permanent officers have the rights of corresponding members.** The permanent officers of a judicatory shall have the rights of corresponding members in matters touching their several offices.

XLIII. **Manner of closing final session.** The Moderator of every judicatory above the church Session, in finally closing its sessions, in addition to prayer, may cause to be sung an appropriate psalm or hymn, and shall pronounce the apostolical benediction.

XLIV. **Procedure in taking cases from inferior courts to the General Assembly.** Whenever a case is to be taken from an inferior judicatory to the General Assembly, the stated clerk of such inferior judicatory shall, at least twenty days before the meeting of the General Assembly, send a notice concerning such case to the Stated Clerk of the Assembly, who shall forthwith notify the chairman of the Permanent Judicial Commission, unless the General Assembly shall have ordered otherwise, that the services of the Commission will be needed at the approaching Assembly; but if no such notice

shall be received by the Stated Clerk of the General Assembly, he shall forthwith notify the chairman of the Permanent Judicial Commission that the services of the Commission will not be needed at the approaching Assembly.

XLV. **Suspending the rules.** These rules may be suspended by a two-thirds vote of the judicatory, upon motion duly made.

II. ADDITIONAL RULES.

Drawn from General Practice and Assembly Usage.

1. Adjournment. The motion to adjourn is not in order when a member has the floor.

The motion to adjourn, when made at the last sitting upon each day, should always include the time on the day following to which the body adjourns.

The business interrupted by adjournment or recess is the first in order after the body reassembles, unless there be a special order on the docket. See "Recess," below.

2. Amendment. An amendment may be laid on the table without affecting another amendment or the original motion. This has been for years the practice in the General Assembly.

3. Appeal from the Chair.. This appeal is ordinarily put in the following manner: "Shall the decision of the Chair stand as the decision of the Assembly?" A tie vote sustains the Chair.

4. Committee.—(*a*) *Appointment.* When a committee is appointed to deliberate upon a subject, it is the rule to appoint thereon members holding different views.

When a committee is appointed to carry out a decision of the house, it is customary to appoint thereon only those who can support the action taken.

When a special committee is appointed, it is customary to place on it the mover and seconder of the motion by which it was appointed. This, however, is not obligatory.

(*b*) *Chairman.* The chairman of a committee may debate and vote, and may also act as clerk.

(*c*) *Discharge.* Committees in legislative bodies are discharged by the reception of their report. In the General Assembly, however, the Standing Committees are discharged at the final session by vote of the house, and special committees are not regarded as discharged until the close of the Assembly.

(*d*) *Excuse from Service.* When persons are competent to serve, the appointing body only can excuse from service.

(*e*) *Minority Report.* The minority of a committee may submit their views in writing either together or each member separately, but a minority report can be considered and acted upon only by moving it as a substitute for the report of the committee.

(*f*) *Quorum.* The quorum of a committee is, in legislative practice, a majority of the members.

(*g*) *Reception of Reports.* The word accept, used for the reception of reports, does not imply adoption.

Reports. The report of a committee, when received or accepted by the Assembly, is the property of the Assembly, and should be handed to the Stated Clerk, with all accompany papers. See below, "Minority report."

(*h*) *Subcommittees.* Committees may appoint subcommittees.

(*i*) *Vacancies.* Committees cannot fill vacancies in their membership. Only the Assembly or the Moderator can act.

(*j*) *Withdrawal.* Committees must receive permission from the house to withdraw.

5. Committee of the Whole. Committees of the Whole are substantially what are designated in Rule XXXIX, this Manual, p. 336, as "interlocutory meetings." The following pertinent rule has been approved in Church courts: "Every court has a right to resolve itself into a Committee of the Whole, or to hold what are commonly called interlocutory meetings, in which members may

freely converse together without the formalities necessary in their ordinary proceedings. In all such cases the Moderator shall name the member who is to preside as chairman. If the committee be unable to agree, a motion may be made that the committee rise, and upon the adoption of such motion the Moderator shall resume the chair and the chairman of the committee shall report what has been done and ask that the committee be discharged, which being allowed, the matter shall be dropped. If the committee shall agree upon the report to be made, or have made progress in the same without coming to a conclusion, the committee may rise, report what has been done, and, if the case require, may ask leave to sit again; or the Committee of the Whole may be dissolved, and the question considered by the court in the usual order of business."

6. Debate. The member presenting a motion or submitting a report has a right to close the debate.

Debate is not in order on debatable motions after the Moderator has commenced taking the vote (p. 340, this Manual, Rule XXVI).

7. Elections. In all elections it requires a majority of the votes cast to elect.

8. Explanation. A personal explanation is not a "question of privilege" unless it affects the rights of a member. See, also, "Privilege," below.

9. Floor. A member who yields the floor for any purpose is entitled thereto upon the resumption of the business in connection with which he was speaking.

The mover of a motion is, by courtesy, entitled to the floor, if he so desire, after the Moderator has stated the question.

10. Jurisdiction over members. Every legislative body has the right to call to account its members for objectionable conduct, and to inflict adequate penalties.

11. Minority report. See "Committee," above.

12. Minutes. Minutes are to be approved by a motion duly adopted.

Minutes may be expunged by a unanimous vote.

Minutes may be corrected by a majority vote.

13. Motions. See "Floor," above.

14. Nominations. A mot on may be made to close nominations for any office, whenever time sufficient has been given for the presentation of names.

It is competent for the Assembly, after a vote has been taken for an office without result, to reopen nominations, placing additional candidates before the house.

15. Order. A member called to order does not yield his right to the floor, but should take his seat until the question of order is decided, when he can resume the floor.

A second question of order cannot be raised until the first is decided.

16. Personal interests. Members may not vote on questions affecting their personal interests.

17. Privilege, questions of. These are questions on subjects which affect the rights of the Assembly or of individual members, and demand immediate attention. They have priority over all questions except those to fix the time for the next sitting and to adjourn. The Chair may decide what questions of this kind to entertain and their priority, subject to appeal.

18. Privileged motions. In ordinary legislative business the privileged motions are (1) to fix the time for next sitting, (2) to adjourn, (3) questions of privilege, (4) to take up special orders.

19. Recess. At the close of a session, provided another session is to follow on the same day, it is customary to move that a recess be taken.

20. Reconsideration. A matter may be reconsidered the second time, provided that the motion is made by one voting in the affirmative, seconded by one voting in the affirmative, and carried by a two-thirds majority of those previously present and voting on the measure when it was previously before the Assembly. (Minutes, 1908, p. 141.)

21. Report. See "Committee," above.

22. Session. This term is used for a sitting of the Assembly for a portion of a day.

The motion to fix time for the next session is not debatable.

23. Vote. Should be retaken if there is evident error. Should be retaken when the tellers disagree.

A member cannot be excused from voting after the negative of a question is put. The proper time to make the request is immediately at the close of debate, or when the name of a member is called on a yea and nay vote. See "Personal interests," above.

VI.

FORMS FOR SESSIONS.

VI.

FORMS FOR SESSIONS.

I. ORGANIZATION OF A CHURCH

We, the undersigned, desiring to be associated as disciples of Jesus Christ, under the provisions of the Constitution of the Presbyterian Church in the U. S. A., do hereby respectfully petition the Presbytery of ———— to organize us as a church to be known as the Presbyterian Church ————.

II. RECORDS

1. Opening of Meetings.

P————, January 20, 19—.

In accordance with the call of the moderator, the Session met in the lecture room, at 7.30 p. m.

Opened with prayer by Mr. C. D.

Present, the Rev. A. B., moderator, Messrs. C. D., E. F., G. H., and L. K.

Absent, Dr. L. J. and Mr. M. N.

The minutes of the last meeting were read and approved.

Mr. G. H. gave his reason for absence from the last meeting of the Session, which was sustained.

2. Members.

1. Reception of members. (See p. 68.) Mr. L. M. and Mrs. C. E. M., his wife, and Mr. N. O., appeared before the Session as applicants for admission to the full communion of the Church, and Mr. O. R., and Mrs. S. J., the wife of T. J., unbaptized persons, presented themselves as candidates for admission to the privileges of Church membership.

They were all duly examined, and their examinations having been satisfactory, it was *Resolved*, That the above-named applicants be, and they hereby are, received to full communion, that next Sabbath they make a public

profession of their faith, and that Mr. O. R. and Mrs. S. J. be baptized at that time.

Mr. L. B. presented his letter of dismissal and commendation from the Presbyterian Church of H————, with the request that he might be admitted to the membership of this church. The certificate was found to be in order, and the request of Mr. B. was granted. The name of his baptized child, W. B., appended to his certificate, was ordered to be entered on the roll of Baptized Children.

Mr. D. Y. presented a letter of dismissal in due form from the Congregational Church of C————, and the same having been found to be in order, he was admitted to the membership of this church.

Mr. J. L. presented a letter certifying to his Christian character as a member of the Baptist Church of T———, and requested that he be admitted to the membership of this church. His case was duly considered, and his request granted.

2. Dismission of members. (See p. 74.)

a. Regular Form.

The clerk presented the request of Mrs. L. N. for a certificate of dismission to the Presbyterian Church of ————. The request was granted, and the clerk was authorized to issue the certificate in due form, and to append to the same the names of her baptized children, L. N., W. N., and G. N.

b. Absent Member.

The clerk also presented the request of Mr. P. Q. for a certificate of dismission to the Presbyterian Church of ————. The Session having had no knowledge of the conduct of the applicant for the period of one year, owing to his removal from its jurisdiction, granted the request, with the condition that its lack of knowledge should be stated in the certificate.

c. Other Denominations.

The clerk presented the request of Mr. G. N., a member of this church, for a letter to the Protestant Episcopal Church of ————. Ordered, that the clerk issue to Mr. G. N. a certificate of Christian character only, in view of the fact that the Protestant Episcopal Church does not receive letters of dismissal from the Presbyterian Church.

3. Absentee members. (See p. 79.)

a. Preliminary Action.

The clerk reported that the following communicants had removed out of the bounds of this church, without asking for or receiving a regular certificate of dismission to another church, and it was on motion, *Resolved*, That Session advises them to apply for such certificates—viz.: S. B., removed to ————, and L. D., removed to ————.

It was on motion further

Resolved, That the clerk give them notice of this action, by registered letter, with stamped addressed envelope for reply, and that such notice shall state that if they fail to apply for such certificate without giving sufficient reason, their names may be placed on the roll of suspended members, until they shall satisfy Session of the propriety of their restoration.

Resolved, That the clerk report his action in the premises, and the result, in order that Session may take such further action as may be deemed expedient.

b. Suspension.

The clerk reported that he had mailed a communication to Mr. S. B., a member of this church, removed to ————, in accordance with directions given, and that no answer had been received. Two months having elapsed, the Session ordered that the name of Mr. S. B. be placed upon

the roll of suspended members under Section 49, Chapter VII, of the Book of Discipline.

4. Members neglecting public worship. (See p. 80.)

a. Preliminary Action.

The following persons, not chargeable with immoral conduct, were reported as having neglected the ordinances of the Church for one year, and in circumstances such as Session regard to be a serious injury to the cause of religion—to wit, P. B. and H. D.

On motion it was *Resolved*, That they be severally visited by Session and admonished, and that C. D. and E. F. be appointed a committee to make such visitation and report to Session for further action.

b. Suspension.

The committee appointed to visit Mr. H. D., a member of this church who had neglected the ordinances of the Church for one year, reported that they had performed their duty, and had affectionately admonished him, but that he declined to accept admonition and to attend the ordinances of public worship. The Session accepted the report, and suspended Mr. H. D. from the communion of the Church under Section 50, Chapter VII, of the Book of Discipline.

5. Members irregularly withdrawing to other denominations. (See p. 80.) The names of the following persons were reported as having renounced the communion of the church by joining another denomination without a regular dismission—to wit: T. B., joined ——— church, and R. D., joined ——— church.

On motion it was ordered that their names be erased from the roll of communicants.

6. Members withdrawing from communion. (See p. 80.) The case of Mr. B. T., a communicant, not chargeable with immoral conduct, who appeared before the Session at its last meeting, and informed it that he

was fully persuaded that he had no right to come to the Lord's Table, was reported upon by the pastor. After due consideration, the attendance of Mr. B. T. on the other means of grace being regular, and his judgment appearing to be not the result of mistaken views, his name was stricken from the roll of communicants.

3. Representatives at Presbytery and Synod.

1. Appointment. (See p. 129.) Mr. C. D. was appointed the representative of this church at the stated meeting of Presbytery to be held on April —, at ————, and to serve until the next stated meeting of the Presbytery. Mr. A. B. was appointed as his alternate.

Mr. E. F. was appointed the representative of this church at the meeting of the Synod of ————, to be held on Oct. —, at ————, and to serve until the next regular meeting of said Synod. Mr. G. H. was appointed as his alternate.

2. Reports. Mr. C. D. reported that he had attended the stated meeting of Presbytery on April —, and that no matters specially affecting this church were considered by the judicatory.

Mr. E. F. reported that he had attended the annual meeting of the Synod of ————, held on Oct. —, at ————.

3. Expenses. It was *Resolved*, That the expenses of the pastor and Mr. C. D. incurred in attendance upon the stated meeting of Presbytery be paid from the Session fund.

4. Collections.

(See p. 111.)

1. Boards of the Church. The moderator and Messrs. C. D. and E. F. were appointed a committee to rearrange our scheme for collections in aid of the several boards and committees of the Presbyterian Church, with a view to securing the more general and more liberal coöperation of the members of the congregation.

2. Special diaconal collections. The subject of the care of the poor being under consideration, and the Board of Deacons having notified the Session that the funds in their hands were insufficient, it was

Resolved, That the special collection for the care of the poor of this congregation be taken up two weeks from next Sabbath, at the morning service, and that notice of the same be given from the pulpit on the Sabbath preceding.

3. Miscellaneous collections. A request having been received from Mr. L. M., agent of the American Bible Society, requesting that a collection be taken up in this church for said society, it was

Resolved, That a collection be taken up for the American Bible Society, at the morning service, two weeks from next Sabbath, and that notice of the same be given from the pulpit on the Sabbath preceding.

4. Special Collections ordered by church judicatories. The General Assembly (Synod of ———— or Presbytery of ————) having ordered a special collection to be taken up in the churches under its care for the cause of ————, it was

Resolved, That in compliance with the order of the General Assembly, a collection for the ———— ———— be taken up in this church one week from next Sabbath, at the morning service, and that notice of the same be given from the pulpit next Sabbath.

5. The Lord's Supper.

(See p. 82.)

The following elders were appointed to assist the pastor at the administration of the Lord's Supper, on Sabbath, December — viz.: for the bread, Messrs. A. B. and C. D., and for the cup, Messrs. E. F. and G. H.

6. The Pastor.

1. Election of a pastor. (See p. 236.) Whereas, this Session have reason to believe that the people of the congregation are prepared to elect a pastor, therefore

Resolved, 1. That a meeting of the congregation, for the election of a pastor, be held in the church building on Wednesday, the — inst., at 7.30 p. m., and that notice of this meeting be given from the pulpit on the next and the following Sabbaths.

Resolved, 2. That the moderator of Session be invited to preside at said meeting, and, if for any reason he should be absent, that the Rev. N. P., a member of this Presbytery, be invited to preside.

Resolved, 3. That the clerk of Session notify the chairman of the Board of Trustees of the date and hour of the meeting.

2. Installation of pastor. (See p. 253.)

a. Request for Special Meeting of Presbytery.

The congregation having called the Rev. J. P. as pastor, Messrs. A. B. and C. D. were appointed a committee to draw up a request for a special meeting of the Presbytery for his reception and installation, to sign the request themselves, to secure the signatures of two ministers of the Presbytery and another ruling elder, and to address and forward the request to the moderator of Presbytery. They were also empowered to make any other necessary arrangements connected with said meeting. Mr. A. B., the representative of this church in the Presbytery, was directed to be present at the said special meeting.

b. Arrangement for Installation.

Mr. A. B. reported that he had attended the meeting of the Presbytery held at ———— on Wednesday, ————, that Presbytery had placed the call of the church in the hands of Rev. J. P., the pastor elect, that he had accepted said call, and that Presbytery had appointed Wednesday,

——, as the time for the installation; also that the committee of installation consists of Rev. M. N., moderator of Presbytery, who will preside, Rev. P. R., who will deliver the charge to the pastor, and the Rev. S. T., who will deliver the charge to the people.

It was *Resolved*, That A. B. and C. D. be a committee to make due preparation for the installation service, and to provide entertainment for the members of Presbytery.

c. Record of Installation.

The committee on the installation of the Rev. J. B. as pastor of the church reported that said installation had been duly performed at the appointed time, and in accordance with the arrangements ordered by Presbytery.

3. Death of a pastor. The Rev. F. D., the pastor of this congregation, having been removed by death since the last meeting of the Session, the following minute was unanimously adopted, viz.:

With humble submission to the dispensation of God's all-wise providence, the Session records the death of the Rev. F. D., the beloved and lamented pastor of this congregation, who departed this life on (Tuesday) the —— day of — inst. (or ult.), in the —— year of his age and the —— of his ministry; having been the faithful pastor of this congregation for the space of —— years. His funeral service was held on ———— at ————, and the Rev. J. G. officiated.

4. Dissolution of the pastoral relation. (See p. 257.)

a. Action of Session.

The Rev. S. D. having announced to the Session his purpose to request the Presbytery of ———— to dissolve the pastoral relation existing between himself and this church, owing to his ill health, the Session took action as follows:

Resolved, 1. That the Session hereby places on record its sincere regret that owing to ill health their pastor, the

Rev. S. D., feels constrained to request the Presbytery to dissolve the pastoral relation between him and this church.

Resolved, 2. That a meeting of the congregation be called for Wednesday evening, March —, to consider the request of the pastor for such dissolution.

b. Action of Congregation.

The record of the meeting of the congregation on Wednesday evening, March —, was presented to the Session, and inasmuch as the congregation, by resolution duly adopted, united with the Rev. S. D. in his request to Presbytery for a dissolution of the pastoral relation, therefore, *Resolved*, That Mr. A. B., the representative of this church to Presbytery, be authorized to state to Presbytery said action of the congregation.

c. Action of Presbytery.

Mr. A. B. reported that he had attended the regular meeting of the Presbytery, held at W ———, that the request of the Rev. C. D. for a dissolution of the pastoral relation with this church was acted upon affirmatively, said dissolution to take effect on April —, that the Presbytery ordered the Rev. E. F. to preach in this church on May —, and to declare this pulpit vacant.

7. Supply of the Vacant Pulpit.

(See p. 128.)

1. Action by Session. The object of the meeting was stated, and the following action was taken:

The pulpit of this church having become vacant by the resignation [or death] of the pastor, it is now the duty of the Session, subject to the oversight of the Presbytery, to provide for its regular supply, and to maintain the other ordinances of public worship, until God in his providence shall send to this church another pastor.

Resolved, That Messrs. B. and D. be appointed a committee to procure supplies for the pulpit, and to correspond with the committee of the Presbytery having the general oversight of vacant pulpits.

Resolved, That the Board of Trustees of the congregation be requested and authorized to pay through the treasurer to the ministers who may occupy the pulpit during the time of its being and continuing vacant, the sum of ——— dollars for each Sabbath's services, and of ——— dollars for each preparatory lecture or midweek meeting, together with a reasonable allowance for traveling and other expenses. (A good rule for compensation in connection with the supply of the pulpit is to pay for each Sabbath a sum equal to one per cent on the annual salary—i. e., $15 for $1500 salary, etc.)

Resolved, That Mr. A. B., the representative of the church, be directed and authorized to request from the Presbytery, at its stated meeting, permission for the Session to supply the pulpit of this church until the stated meeting following.

2. Action by the Presbytery. Mr. A. B. reported that the Presbytery had granted the Session permission to supply the pulpit of this church until the next stated meeting.

8. Ruling Elders.

1. Election of ruling elders. (See p. 280.) The subject of an increase of the eldership in this church, having been considered at several recent meetings of the Session, was again taken up.

Resolved, 1. As the unanimous judgment of the Session, that the welfare of this church and the interests of religion within our bounds render it expedient that the number of the ruling elders of this church be increased without unnecessary delay.

Resolved, 2. That the Session does hereby recommend to the church the election of ——— additional ruling

elders, in accordance with the mode in use in this congregation.

Resolved, 3. That an election for ruling elders be held in the lecture room of this church, at the close of the service of prayer, on ————, and that notice to that effect be given from the pulpit.

2. Installation of ruling elders. (See p. 289.) *Resolved*, That the persons elected as ruling elders by the church, at the meeting of the church on ————, viz.: C. D. and E. F.—be ordained and installed on the ———— Sabbath in ————.

3. Reception of new elders. Messrs. R. B., T. L. C., and P. S., elected by the church as ruling elders, and solemnly ordained and installed on Sabbath, the — day of ————, appeared in Session, and were cordially welcomed to their seats as members.

4. Death of a ruling elder. Our esteemed brother elder, Mr. P. D., having been removed by death since the last regular meeting of the Session, the following minute was unanimously adopted—namely:

With humble submission to the dispensation of God's all-wise providence, the Session record the death of one of its members, Mr. P. D., who departed this life on [Monday] the ———— day of ————, inst. [or ult.], in the ———— year of his age.

9. Deacons.

1. Election of Deacons. (See p. 304.) After due consideration the following action was taken:

Whereas, It is the judgment of this Session that an addition is necessary to the present membership of the Board of Deacons; therefore be it

Resolved, That a meeting of the church be called for Wednesday, December —, for the election of three additional deacons, and that public notice of this meeting be given from the pulpit next Sabbath.

2. Report of the Board of Deacons. (See p. 307.) The minutes of the Board of Deacons were duly presented, and were referred to a committee consisting of J. K. and C. R., to report thereupon. The committee, having examined said minutes, recommended their approval, and the report was adopted.

10. Trustees.

1. Appointment of committee. (See p. 60.) In order to facilitate the transaction of the business of the congregation, it was resolved that Mr. D. S. be appointed as the representative of the Session in all matters connected with the business of the Board of Trustees, he to report regularly to Session the matters needing action.

2. Report. (See pp. 61, 315.) Mr. D. S. reported a request from the trustees in relation to the proposed use of the church building for a secular lecture. The request, after due consideration, was granted.

11. Meeting of the Officers of the Church.

(See pp. 315, 307.)

1. Call. In view of the financial circumstances of the church and congregation, the Session deem it wise to call a meeting for conference of all the officers of the church. The clerk thereupon was directed to issue notices to the Board of Deacons and the Board of Trustees, that the Session desired to meet with them for conference upon financial matters on Tuesday evening, April —.

2. Report. The meeting of the officers of this church called by the Session was duly held according to appointment, and the following committee was appointed by it to raise funds for the payment of the church debt, viz.: Mr. C. D. of the Session, Mr. F. G. of the deacons, and Mr. H. J. of the trustees.

12. Church Meetings.

(See pp. 61, 62.)

The clerk of Session as the clerk of the church meeting held on Wednesday, ————, for the ————, presented the minutes of said meeting, and after the reading of the same they were found in order, and directed to be incorporated in the records of Session.

13. Sabbath School Committee.

(See pp. 95, 96, 98.)

1. Appointment. The pastor and ruling elder A. B. were appointed a committee to represent the Session in the matter of the oversight of the Sabbath school, and to report thereupon at each regular meeting.

2. Report. The Committee on the Sabbath School reported that Mr. O. N. had been nominated for appointment as superintendent. The recommendation was received and approved, and the committee was authorized to notify Mr. O. N. of his appointment as superintendent of the Sabbath school.

14. Committee on Music.

(See p. 105.)

1. Appointment. The question of the conduct of the music of the church being under consideration, it was *Resolved*, That Messrs. J. K. and L. M. be the committee to have charge of the music in public worship, in so far as the Session possesses authority.

2. Report. The Committee on Music reported that Messrs. D. K. and N. R., with Mrs. E. S. and Miss M. T., after conference with the trustees as to salaries, had been appointed as members of the choir of the church, to serve for one year.

15. Societies.

1. Missionary societies. (See p. 118.) The annual reports of the women's home and foreign missionary

societies of the church, and of the children's missionary societies, were presented, showing that the following sums had been contributed by them for the objects hereinafter named—viz.: Foreign Missions, $———; National Missions, $———; to Christian Education, $———; to Ministerial Relief, $———. The reports were approved and ordered to be placed on file.

2. Young People's Societies. (See p. 119.) The constitution of the Young People's Society of the church was submitted to the Session for its approval. After due consideration said constitution was, on motion, duly approved.

The following persons were reported to Session as having been elected as officers of the Young People's Society for the term of six months: viz.: ———. The report was approved.

16. Statistical Reports.

(See p. 126.)

The statistical report of the Session to the Presbytery for the year ending March 31st was presented by the stated clerk, and, after consideration and approval, was directed to be forwarded to the stated clerk of Presbytery.

17. Judicial Cases.—Public Prosecution.

(See for order or steps of procedure in both private and public prosecution, pp. 178–181. The forms for records which follow are applicable mainly to a case of public prosecution, and contain only the principal items of judicial business.)

1. Inquiry or investigation.

a. Appointment of Committee.

The Session having been informed that rumors are in circulation seriously affecting the Christian character of Mr. C. D., a member of this church, Mr. G. H. was appointed a committee to investigate the matter and to report at the next meeting. (See p. 168.)

b. Report of Exoneration.

The committee appointed at the last meeting of the Session to investigate the rumors affecting the Christian character of Mr. C. D., respectfully reports that in his opinion said rumors are without foundation. This report having been received and duly considered, the Session resolved that no further notice be taken of the rumors against Mr. C. D.

c. Report of Nonprosecution.

The committee appointed at the last meeting of the Session to investigate the rumors affecting the Christian character of Mr. C. D., a member of this church, respectfully reports that the said rumors appear to be well founded, but further that the case is so circumstanced that it plainly "cannot be prosecuted to conviction" by any testimony at present subject to the authority of the Session. This report having been received and duly considered, the Session *Resolved*, That it appears clear that the case of Mr. C. D. is so circumstanced that it plainly "cannot be prosecuted to conviction," and that "it is better to wait until God, in his righteous providence, shall give further light." (See p. 141.)

d. Report Recommending Prosecution.

The committee appointed at the last meeting of Session to investigate the rumors affecting the Christian character of Mr. C. D., respectfully report that there is probable ground for an accusation against said Mr. C. D., charging him with the offence of ————, and further that it is recommended that Session appoint a Committee of Prosecution to conduct the case in all its stages under the provisions of the Book of Discipline, Chapter II, Section 12. The Session, having received and duly considered the report, appointed Messrs. T. U. and V. W. a Committee of Prosecution, and directed them to proceed in the case of Mr. C. D., a member of this church, in conformity

with the requirements of the Book of Discipline. (See p. 169.)

2. The trial—first meeting.

a. Opening Record.

The Session met in accordance with the call of the moderator at ———— on Dec. 6, and was opened with prayer.

The following persons were present—viz.: P. Q., the moderator, R. S., L. M., E. F., and Y. Z.

The moderator announced that they were about to proceed to the consideration of the Committee of Prosecution in the case of Mr. C. D., a member of this church. He thereupon, in accordance with Rule XL of the General Rules for Judicatories, enjoined the members "to recollect and regard their high character as judges of a court of Jesus Christ, and the solemn duty" in which they were about to act. (See p. 172.)

b. Charges.

The Committee of Prosecution thereupon presented its report as follows: "The Committee of Prosecution appointed to conduct the case of Mr. C. D. in all its stages, present the following charges against Mr. C. D., a member of this church." (See p. 143.) See for forms of charges and specifications, p. 368.

c. Citations.

The charges and specifications having been read, the Session directed the clerk to cite the accused, Mr. C. D., to appear before the Session on ———— at ————. A copy of the charges and specifications was also directed to be sent to the said accused person.

The clerk was directed to issue citations to the witnesses named in the specifications to the charges, and also to furnish the accused with citations for such witnesses as he may desire to summon to testify in his behalf. (See p. 146.) For forms of citations, see p. 368.

d. Adjournment.

Adjourned to meet Dec. 7, at 10 a. m., in the same place. Closed with prayer.

3. The trial—second meeting.

a. Opening Record.

The Session met according to adjournment at ————, on Dec. 7, at 10 a. m., to consider the unfinished business of the last meeting, viz.: the charges brought by the Presbyterian Church in the U. S. A., through a Committee of Prosecution, against Mr. C. D.

The moderator read Rule XL of the General Rules for Judicatories. (See p. 342.)

b. Service of Citations.

The clerk announced that the citations ordered by the judicatory in the case, for the prosecutor, the accused, and the witnesses had been duly served. (See p. 146.)

c. Counsel.

Mr. C. D., the accused person, being present, announced that Mr. R. S., one of the members of Session, had been requested by him to act as counsel, and it was ordered that record be made of the fact. (See p. 169.)

d. Plea.

The Committee of Prosecution and the accused person being questioned, replied that they were both ready for trial.

No objections were made to the regularity of the organization or to the jurisdiction of the judicatory, or to the sufficiency of the charges and specifications in form and legal effect. (See p. 172.)

The proceedings being in order, the accused was called upon to plead to the charges, and made answer, "Not guilty." The plea was entered on the record. (See p. 173.)

e. Witnesses.

The Committee of Prosecution, through Mr. T. U., then addressed the judicatory, presenting their view of the case, and stating the points which they expected to prove by the witnesses. After which the court proceeded to call the witnesses. (See p. 152.)

The counsel for the accused raised the question as to the exclusion of witnesses, according to the Book of Discipline, Chapter VIII, Section 60, and it was *Ordered*, That all witnesses hereafter to be examined be excluded until they are summoned to testify. (See p. 153.)

Mr. T. U. then introduced the first witness for the prosecution (see p. 152)—viz.:

Mr. B. A. was sworn by the moderator (see p. 151), and testified as follows:

The testimony was read to the witness, and approved by him as being correctly recorded. (See p. 157.)

The witnesses having all been examined,

f. Hearing of the Parties.

The parties were heard in their explanations of the testimony and in their comments thereupon. (See p. 173.)

g. Deliberation and Judgment.

After the parties had concluded and had withdrawn from the judicatory, the roll was called, that every member of the court might have an opportunity to express his opinion on the case.

After careful deliberation the vote was taken upon the charges and the specifications separately, and the court found Mr. C. D. guilty. The vote was unanimous upon both charges and specifications. Messrs. L. M. and E. F. were appointed a Committee on Judgment. (See pp. 170–172.)

The Committee on Judgment reported the following minute, which was unanimously adopted as the final judgment of the court in the case:

The Session, having deliberately considered the testimony in the case of Mr. C. D., a member of this church, charged by the Presbyterian Church in the U. S. A. with the sin of drunkenness, as in sundry specifications set forth, and having patiently listened to the testimony, arguments, and explanations which have been offered, as well by the accused as by the Committee of Prosecution, does judge and decide that the charge has been proved, and that the said Mr. C. D. is guilty of the sin of drunkenness charged upon him.

And the Session does further judge and determine that the said Mr. C. D. ought to be, and he hereby is, suspended from the communion of the church until he shall give satisfactory evidence of repentance.

h. Sentence.

Mr. C. D. was then called in, and the moderator, in accordance with the Directory for Worship, Chapter XI, Section 2, pronounced upon him the sentence of the judicatory. (See p. 162.)

i. Publication of Sentence.

The following minute was then adopted:

In view of the publicity of the sin of which Mr. C. D.,one of the members of this church, has been adjudged to be guilty, and of the great reproach which has been brought by it upon the Church of Christ,

Resolved, That the moderator be directed to publish the sentence of suspension from the pulpit. (See p. 162.)

j. Appeal.

Mr. C. D. gave notice of his intention to appeal from this decision of the Session to the Presbytery of H———, at its next meeting, and stated that a copy of his appeal, with the reasons for the same, would be "lodged with the moderator." "within ten days." (See p. 182.)

k. Transmission of Record.

The clerk was directed, in view of the appeal of Mr. C. D., to transmit the record of the case to the Presbytery, in accordance with the Book of Discipline, Chapter X, Section 96. (See p. 183.)

l. Adjournment.

The business having been completed, the moderator announced that the Session had ceased to sit in a judicial capacity.

Closed with prayer.

III. CERTIFICATES, CHARGES AND CITATIONS

1. Regular Certificate of Dismission.

(See pp. 74, 352.)

This is to certify, That ..... is a member in good standing, of the ..... Church of ....., and that ..... is hereby dismissed at ..... own request, and recommended to the fellowship of .....; and when so received ..... responsibility to this church will cease.

By order of Session,

....., *Clerk.*

Given at ....., 19.....

The above certificate is valid for only one year from its date.

(*Note.*—To the above certificate the names of the baptized children of parents who are dismissed are to be appended. See p. 75.)

2. Special Certificates of Dismission.

1. Suspended member. (See p. 76.)

This is to certify, That ..... is a suspended member of the ..... Church of ....., and that ..... is hereby dismissed at ..... own request, and rec-

ommended to the fellowship of ..... The cause of suspension was .....

By order of Session,

....., *Clerk.*

Given at ....., 19.....

This certificate is valid for only one year from its date.

2. Absent member. (See pp. 76, 352.)

This is to certify, That ..... is a member of the ..... Church of ....., and that ..... is hereby dismissed at ..... own request, and recommended to the fellowship of .....; and when so received ..... responsibility to this church will cease. This Session has had no knowledge of the conduct or residence of Mr. ..... for two [or more] years.

By order of Session,

....., *Clerk.*

Given at ....., 19.....

3. Other denominations.

....., 19.....

This certifies, That ..... is a member of the ..... Presbyterian Church of ....., in good standing. This certificate of Christian character is issued to ....., by the Session, at ..... request.

....., *Clerk.*

3. Notification of Dismissal.

(See p. 75.)

....., 19....

Rev. .....,

Pastor of ..... Church,

.....

Dear Sir: On the ..... day of ....., 19...., certificate of dismission from this church to yours was sent by mail to .....,

.....,

with a return certificate enclosed, by which we might be duly informed of ..... reception. No reply has ever

reached us. Will you kindly advise me whether .... . has been received into your membership upon our certificate of dismission, and if so, please send the date of reception.

Respectfully,

....., *Clerk.*

4. Certificate of Reception.

(See p. 76.)

This is to certify, That ....., recommended by the Session of the ..... Presbyterian Church of ....., was received on the ..... day of ....., 19...., as .... member in good and regular standing [or other words, such as suspended] of the ..... Presbyterian Church of .....

....., *Clerk.*

To the Session of .....

5. Letter of Credence.

(See p. 78.)

To the ..... Church of ..... and Christian people, greeting:

This testimonial certifies that ...., member, in good standing ..... in the ..... Presbyterian Church of ....., and that during ..... temporary sojourn at ....., with ..... baptized child ....., commended to the fellowship and care of .....

And should ..... remain, ... directed, as early as may be practicable, to transfer ..... connection by regular dismission from this church.

Given by order of Session,

....., *Clerk.*

....., 19.....

6. Notice to Absentee Member.

(See p. 79.)

Dear ....:

The Session of the ..... Presbyterian Church of ...., of which you are a member, respectfully draw your attention to the fact that they have had no knowledge of your conduct during the past two years, owing to your absence from the community. Seeking to further your best interests, they affectionately recommend to you, that you ask them for a letter of dismission to a church near to your present place of residence. Should you fail to reply to this note, the Session with deep regret will be obliged to place your name upon the roll of absentee and suspended members.

By order of the Session,

....., *Clerk.*

7. Notice to Member Neglecting Ordinances.

(See pp. 80, 354.)

Dear .....:

The Session of the .... Presbyterian Church of ....., of which you are a member, having noticed your neglect of the ordinances of the Church for the period of one year, and under circumstances such as the Session regard as a serious injury to the cause of religion, have appointed Mr. ..... to visit you personally, in order to secure if possible due obedience on your part to the requirements of God's Word and of the Constitution of this Church in the matter of attendance upon divine worship. This action is taken in the hope that suspension from the communion of the Church may be thus avoided.

By order of the Session,

....., *Clerk.*

8. Charges and Specifications.

(See pp. 143, 366.)

1. Public prosecution. The Presbyterian Church in the U. S. A., prosecutor, charges you, J. B., a member of the Presbyterian Church of ....., with the sin of drunkenness, contrary to the Holy Scriptures and the rules and regulations of the Church founded thereupon. See Rom. 13 : 13; Larger Catechism, Questions 136 and 139.

Specification 1. That on or about January 19, 1922, the said J. B. was seen in an intoxicated condition in the house of C. G., located on .... Street, in the city of ..... Witnesses, C. G. and P. D.

Specification 2. That on or about January 19, 1922, the said J. B. was seen in an intoxicated condition on Main Street, in the city of ..... Witnesses, C. B. and L. M.

2. Private prosecution. I, A. S., as a member of the Presbyterian Church of ...., herewith charge C. D. a member of the said church, with violation of the ninth commandment, contrary to the Word of God and the rules and regulations of the Presbyterian Church in the U. S. A., founded thereupon. See Exodus 20 : 16; Larger Catechism, Question 145.

Specification 1. In this, that on or about February 8, 1920, you, the said C. D., stated to Mr. E. F., in his house in the city of ....., that I, the said A. S., was not a person worthy of belief. Witnesses, E. F. and G. H.

Specification 2. In this, that on February 18, 1920, meeting on the street R. S., you, the said C. D., stated to him that I, the said A. S., was guilty of falsehood. Witnesses, R. S. and T. U.

9. Citations.

(See pp. 146, 366.)

1. To the Prosecuting Committee [or prosecutor, as the case may be]. You are hereby cited to be and

appear before the Session of the Presbyterian Church of ..... at the church edifice in C....., on Tuesday, the ..... day of ....., ..., at eleven o'clock, a. m., then and there to prosecute the charge against Mr. D. E., by you presented to the Session on the ..... day of ....., ..., to the end that the matter may be fully heard and decided.

By order of the Session of the church,

A. B., *Clerk.*

2. To the person accused.

To J. B.:

Dear Sir: You are hereby cited to be and appear before the Session of the Presbyterian Church of ....., at the lecture room of the said church, on Tuesday, the ..... day of ....., at two o'clock, p. m., then and there to answer to the charge preferred against you by the Presbyterian Church in the U. S. A. [or by A. S.], a copy of which charge, with the several specifications under it, and with the names of the witnesses appended to it, was given to you on Tuesday, the ..... day of.....; to the end that the matter may be fully heard and decided.

By order of the Session,

A. B., *Clerk.*

3. Second citation to the person accused. [The second citation to the person accused should be the same in form as the first citation, except in the necessary change of date, and in the addition of the following paragraph:]

This being your "second citation," you are hereby informed that if you fail to appear at the time and place above named you may be "suspended from the communion of the Church" for your contumacy, under Chapter V, Section 34, of the Book of Discipline of the Presbyterian Church; also, that the Session may, after assigning some person to manage your defence, proceed to trial and judgment in your case as if you were present, under Chapter IV, Section 22, of the said Book of Discipline.

4. To a witness.

To Mr. B. A.:

Sir: You are hereby cited to be and appear before the Session of the ..... Presbyterian Church of ....., and in the lecture room of the said church, on Tuesday, the ..... day of ....., at two o'clock, p. m., then and there to give your testimony in regard to the matters charged against J. B. by the Presbyterian Church in the U. S. A. [or, by A. S.].

By order of the Session,

A. B., *Clerk.*

5. Second citation to a witness. [The second citation to a witness should be after the form above given, with the addition of the following paragraph:]

This being your "second citation," you are hereby informed that if you fail to appear at the time and place above named, you may be censured according to the circumstances of the case for your contumacy, under Chapter VIII, Section 68, of the Book of Discipline of the Presbyterian Church.

By order of the Session,

A. B., *Clerk.*

10. Form of Complaint.

(See p. 185.)

In the matter of the action of the ..... (Presbytery, Synod, or Judicial Commission) of ..... respecting ..... (dissolution of church, or other nonjudicial matter), the undersigned hereby complains to ..... (next higher judicatory) of the action of the ..... (Presbytery, Synod, or Judicial Commission) in the above-entitled matter, and for the reasons in support of such complaint state the following:

1. (Here state reasons in plain simple language.)
2. Ditto.
3. Ditto.
4. Ditto.

..... (Signature of Complainant.)

Date: .....

To ..... clerk (or moderator) of the ..... Presbytery, Synod, or Judicial Commission (being the judicatory whose action is complained of).

For rule as to service, see Chapter IX, Section 85, Book of Discipline.

11. Notice of Appeal.

(See p. 181.)

In the judicial case of the Presbyterian Church in the United States of America (or ..... prosecutor) against ..... defendant ..... (the appellant) hereby gives notice of his intention to appeal to ..... (the next superior judicatory) from the final judgment of ..... (the trial judicatory) appellee in the above-entitled case, and for ground of appeal states and sets forth the following:

1. (Here state the grounds of appeal and errors alleged to have been committed in the trial, examples of which are set forth in Chapter IX, Section 95, Book of Discipline.)
2. Ditto.
3. Ditto.
4. Ditto.

..... (Signature of Appellant.)

Date: .....

To ..... clerk (or moderator) of ..... judicatory whose judgment is appealed from).

For rule as to service, see Chapter IX, Section 96, Book of Discipline.

12. Form of Appeal.

(See p. 181.)

In the judicial case of the Presbyterian Church in the United States of America (or ..... prosecutor) against ..... defendant, ... (the appellant) appeals to ..... (the next superior judicatory) from the final judgment of ..... (the trial judicatory appealed

from in the above-entitled case), and hereby lodges his appeal with ..... (the clerk of the superior judicatory) on the ..... day of ....., 19...., and for ground of such appeal states and sets forth the following:

1. (Here state in plain language, and consecutively, grounds of appeal and errors alleged to have been committed in the trial, examples of which are set forth in Section 95, Book of Discipline.)

2. Ditto.

3. Ditto.

4. Ditto.

..... (Signature of Appellant.)

Date: .....

To ..... clerk of the superior judicatory to which appeal is taken.

For the time when the appeal shall be lodged with the clerk of the superior judicatory, see Chapter IX, Section 97, Book of Discipline.

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